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'COURTIN' CHAIR' FEATURE OF OLD HOUSE THAT NEVER MOVED, WAS IN 4 COUNTIES by Henry P. Scalf (Reprinted from the Floyd County Times, January 14, 1954)

In an old house, near the mouth of Breedings Creek in Knott County, live the five Johnsons--three brothers and two sisters --Patrick, John D., Sidney, Elizabeth, and Allie. Four are unmarried. Patrick, the oldest, is 83. Portraits of their ancestors--Simeon Johnson, lawyer, teacher, and scholar; Fieldon Johnson, lawyer, landowner, and Knott's first County Attorney; and Fielding's wife Sarah (nee Dotson)--look down upon them from the house's interior walls.

Visitors to the Johnson home are shown the family's most prized possessions and told something of their early history. Among the family's heirlooms are their corded, hand-turned fourposter beds that were brought to the house by Sarah Johnson. These came from her first home, the Mansion House, in Wise, Virginia, after the death of her father, Jackie Dotson, Wise County's first sheriff. (The Mansion House was better known as the Dotson Hotel, one of southwest Virginia's famous hostelries.) At least two of the beds she brought with her have names: one is called the Apple Bed for an apple is carved on the end of each post; Another is the Acorn Bed for the acorns carved on its posts. The bed's coverlets were also brought from Virginia along with tableware and some pitchers lacquered in gold that came from her mother Lucinda's Matney family.

Visitors are also shown the wedding plate, a large platter from which each Johnson bride or groom ate his or her first dinner. and the old Kentucky rifle which George Washington Johnson took on deer

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hunts, and some of the old clothing worn by early Johnsons, including Sarah's wedding dress, preserved for nearly three quarters of a century, and Simeon Johnson's baby clothes.

Patrick Johnson strikes the fire in the ancient fireplace and tells visitors of the prominent eastern Kentuckians who once visited their home. This was when it was a noted stopping place on the road between Whitesburg and McPherson (now Hindman). Court officials of mountain circuits stayed here as, in earlier years, did Revolutionary War veterans passing through the area seeking land. It was here that the Rev. Simeon Justice and his fellow ministers, William Salisbury and Electious Thompson, met and planned the founding of the earliest Baptist churches in this part of the country.

According to historical records, Thomas and Adelpia Carter Johnson and Thomas's brothers Patrick and William, were the family's eastern Kentucky progenitors. They came from the Yadkin Valley of North Carolina through Pound Gap sometime in the first decade of the nineteenth century. On January 20, 1806 Patrick took up fifty acres on Rockhouse Fork. Seven years later he married Anna Martin (nee 1794), the daughter of William and Susannah Tudor Martin who had settled on Right Beaver Creek about the same time. William Martin may also have come originally from North Carolina though he lived in Virginia before moving to eastern Kentucky. Patrick and Anna later set up housekeeping on the Isaac Fork of Right Beaver.

Sometime before 1810 Thomas and Adelpia built the old Breedings Creek house. At first it was near the side of the hill in front of a "steep gut" but the likelihood of sudden freshets convinced them to move the building 100 yards nearer the creek bank. This

was in Floyd County then, but the creation of new counties has placed it successively in Perry, Letcher, and Knott.

Thomas and Adelpia's children were George Washington, William, Artie, and Fanny, not a large family by pioneer standards. Even so, Adelpia's life must have been quite a busy one for she was the only educated woman in a large area. She may have been the local school teacher, and was often called to write letters for her neighbors and area churches.

Neighbors were far apart in this early Floyd County section. Other Carr Fork families (for Breedings Creek is a branch of Carr) were Thomas and Jane Hammonds Francis who came here from Virginia in 1816, Crockett and Susan Grigsby Ritchie who had arrived the year before, and John and Nancy Combs. Into these and other area families the Johnson children married. George Washington married Sarah Francis; Artie married Nicholas Smith, son of Richard of Ary. We don't know who William and Fanny married.

Thomas Johnson died in 1828 and was buried nearby. On October 1, 1834, forty seven year old Adelpia married sixty nine year old Rev. Simeon Justice in Hazard. He had been a friend of the Johnsons for years, officiating at their marriages and often staying at the Breedings Creek home while he was riding the ministerial circuit, organizing churches. He is known to have helped organize the first Baptist church in Perry County in 1809, the Indian Bottom church on the North Fork the following year, and another at the home of Stephen Caudill near the mouth of Sandlick on August 13, 1815.

Simeon and Adelpia lived together for twelve years, but it's not known how much of that time was spent in the Breedings Creek

house. which, during that time, was the home of George Washington and Sarah. We know that Simeon owned property in the present Floyd County, and lived there for a time since Alexander Lackey of Prestonsburg, in support of Simeon's petition for a Revolutionary War pension, once testified that they had been neighbors for nine or ten years.

Simeon's pension papers revealed much about his early life and war service. He was born in Pittsylvania County, Virginia on June 4, 1765. His family moved to Rutherford County, North Carolina, but later moved to the community of Ninety Six in South Carolina where his mother died. Simeon, his father John, and a brother, also John, enlisted at Fort Rutledge in 1777. His brother who may have been slightly older, was appointed fifer and Simeon, then only twelve, became the company's drummer. Capt. Benjamin Tutt gave the three enlistees a small amount of bounty money.

Simeon served most of his three year enlistment at Fort Rutledge, but in February 1780 he was sent to Augusta, Georgia. In May he was back at Fort Rutledge. His term of enlistment ended in June of that year but "times were very squally and it was thought imprudent to discharge the men at the fort." Squally they were, indeed, for Fort Rutledge was captured by the British and Simeon was made prisoner, not to be parolled till July.

After his discharge he lived in South Carolina till 1795 when he moved to Tennessee and lived there for four years. Then he moved to Buncombe County, North Carolina, and in 1807 came to Floyd County. After his death on January 16, 1846, Adelpia went to live with George and Sarah in their Breedings Creek home. In 1853 she requested of

Letcher County judge Green Adams a pension for being the widow of a Revolutionary War soldier. She died and was buried on Irishman Creek.

Another family heirloom, but now in the possession of Jethro Amburgey of Hindman, was a chair Simeon made that was used by his descendants as a "courting chair." It testifies to its maker and original owner's weight, some 400 pounds, for it could easily accommodate two ordinary-sized persons at the same time.

George and Sarah Johnson had eight children: Fieldon (called Babe), George, Leslie, Simeon, Sarah, Susan, Thomas, and Adelpia (named for her grandmother). Susan married George Eversole; Thomas married Lucy Eversole; and Adelpia married Washington Combs.

The old Breedings Creek house continued to be a stopping place for travelers between the county towns of Whitesburg, Hazard, McPherson, and Prestonsburg. Patrick Johnson tells us that when he was a child he heard his father call to many a traveler "Light and stay" or "Light and tell us the news."

Fieldon Johnson was a lawyer whose practice was mainly in the Whiteburg court until the formation of Knott County. But sometimes he took cases in Wise, Virginia. On one such occasion he met his wife, Sarah Dotson.

Knott was organized in 1884 from parts of Floyd, Perry, Letcher, and Breathitt Counties. Fieldon and Whitesburg attorney Tom Fitzpatrick were strong supporters of the new county and assisted the Letcher representative, Robert Bates, in securing passage of the enabling legislation.

McPherson, the local post office, and the community, aptly called the Forks of the Troublesome, became Hindman when that place was named the new county's seat. It was then sparsely populated. F.P. "Chick" Allen ran the local store and near him lived Lewis Hays. Wagon roads connected the town with neighboring county seats. Fieldon Johnson, on hand for the county's organization, described the event as pretty wild. Heavy drinking, dancing in the roadways, and the shooting of firearms led to several altercations. Personal affronts were settled by fisticuffs, and the noise was such that the commissioners were forced to move to Lewis Hays' home to complete their work.

At the Hays home arguments were frequent and often bitter. Bolling Hall from Beaver was appointed to lay off the county into magisterial districts. But he refused to serve since he was being deprived of his office as Floyd County assessor. Finally, the wrangling ended and Knott County was duly organized.

According to the Louisville Commercial of July 8, 1885, "The close of the festivities at what became the town of Hindman was a fitting climax. The local magistrate lay on his back in the sand in the bottom of the dry creek, and was singing with all his might until he became too drowsy longer to make exertion. (sic) Many others lay on the grass."

Fieldon became Knott's first county attorney and Lewis Hays was named its first court clerk. Fieldon continued to live on Breedings Creek, and when his father died in 1904, he formally occupied the old house built by his grandparents. It was his wife Sarah who preserved for the present generation the home's many

antiques. After Fieldon's death she lived with her memories of her families--the Matneys, Dotsons, and Johnsons. One son, Simeon, married Sarah Francis and they are the parents of Willard "Sprout" Johnson, once a member of the Carr Creek Indians and now that team's coach.

Almost exactly opposite the mouth of Breedings Creek is the four mile long valley of Defeated Creek. According to Patrick Johnson, it was named back in pioneer days in this fashion. There was an encampment of whites on Troublesome Creek one winter and Willie Carr (sometimes called Old Man Carr) and another man strayed on a hunting trip to that valley and built there a rude shelter. That night Indians attacked their camp and Carr and his companion, along with their dogs, fled across the ice. Carr tripped over one of the dogs and fell into the creek. Indians were quickly upon him and he was killed and scalped. Thus was named Defeated Creek. It's but a legend but it may be true. It certainly reflects the collective memory of the five surviving members of the Johnson family which go back to the earliest settlement of that part of the country. at least a century and a half ago, and to them it's a priceless memory.

[Editor's note: Even the house is a memory for the lower end of Breedings Creek is now in the 710 acre Carr Fork Lake that was completed in 1976.]

HOME THAT SERVED HERE AS COURTHOUSE IS RAZED by Henry P. Scalf
(Reprinted from the Floyd County Times, June 3, 1954)

On the morning of April 16, 1808 William James Mayo stood by his home at the corner of Ford Street and First Avenue in Prestonsburg and, looking toward the site of the present (1954) municipal building, saw the log courthouse go up in flames.

Mayo, who who been a deputy county clerk in his native Patrick County, Virginia, and would later become the county clerk of Edgar County, Illinois, was, at the time of the fire, clerk of both the Floyd county and circuit courts. All the early Floyd records went up in flames save a single order book that Mayo probably had at home.

Mayo most likely built his Prestonsburg home soon after he arrived in town with his wife, Elizabeth Hancock Mayo, and at least five of their children. According to family tradition, while still in Virginia in 1799, Mayo accepted the invitation of Alexander Lackey of Floyd Co. to serve as the new county's first clerk. After the fire the new Mayo home served as temporary quarters of the county government. The first meeting of the Circuit Court was held here on April 18, 1808 and present were the Hon. John Graham and Alexander Lackey, associate judges.

Little was accomplished at this first meeting. David Brown was sworn in as a practicing attorney. The Grand Jury, under its foreman Abraham Beavers, "retired to consult on the presentments and after sometime returned into (sic) court and, having made no presentments, were discharged."

The old order book describing the official events occurring in the Mayo home, is, as stated in its fly leaf, "a record of orders-- begun April 1808 and ending in October 1818." It includes a lone entry giving the date of the court house fire. On April 19 the court met in the Mayo home again and appointed Harry Stratton, Cornelius McGuire, David Morgan, John Spurlock, and Robert Meade commissioners under "the act for the relief of persons who may have been or may be injured by the destruction of the records of any court." The commissioners were asked to advertise their duties for ten days and then to meet at the Mayo home and "proceed to reinstate the records and papers of this court with those of the late Quarterly Superior court that were in the office of the clerk of this court and were destroyed by fire on the morning of the Sixteenth Instant."

By today's standards the old Mayo home was pretty rugged. But like the new county it lasted for a century and a half. Giant poplars were hewn and laid in a saddle notch. Rocks were handdressed and the house had a chimney. At the time of the fire it probably had only two rooms. Additions were made in the succeeding decades and it was eventually weatherboarded probably by one of the Ford or Mayo families that owned it after the Mayos moved out.

In 1804 Mayo is known to have bought a farm, now called the Mayo Farm, on the present (1954) highway south of town. But since the court was using his town house, it was most likely that he had not yet built a home on his new property. But he is known to have moved some time before he left for Illinois (in 1825). His son Jacob succeeded him as Floyd clerk from 1825 to 1835. Some Mayo descendants still live on the farm.

Until recently Mayo's Prestonsburg home, one of the town's oldest structures, was owned and occupied by Lee P. May and the family of his son Martin Lee. But it is now (1954) being dismantled to make way for a new home to be built by Russell W. Pelphrey of Prestonsburg.

Sharing in age and history with the Mayo home is a nearby house owned by the Johns Family that served as the courtroom for the local magistrate Solomon DeRossett.

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6-10-1954

OLD HOME OF BETSY LAYNE STANDS, LONG UNTENANTED by Henry P. Scalf
(Reprinted from the Floyd County Times, June 10, 1954)

Residents of Betsy Layne vaguely recall that their post office, established some fifty years ago, was named for an old lady. But none remember that she was Elizabeth Johns Layne, nor that she and her husband, Tandy Middleton Layne, had acquired a large farm at the site of the present Justell post office (on the west side of the Big Sandy River). And they don't know that sometime after the Laynes married on April 21, 1831, they built a log house that, by 1954, was still standing on their farm.

Tandy and Elizabeth were the children of pioneers. Tandy was the son of James Stratton and Caty (Hager) Layne. Elizabeth (called Betsy) was a daughter of Thomas and Nancy (Layne) Johns. Nancy and James Shannon were first cousins. The elder Laynes and Johns had come to Floyd County from Amherst County, Virginia a decade before Tandy and Betsy's birth. Nancy rode horseback to Kentucky with a two year old child lying in her arms.

Tandy and Betsy's 776 acre farm on the Layne family estate was large compared to today's Floyd County farmsteads. The Layne farm is now (1954) but 640 acres, owned by Claibourne Bailey. In its 125 year history, this farm had only two voluntary title transfers, a possible record for the fewest such property transfers in Floyd County. The first was in 1918 when a railroad right-of-way was secured to the new Pike-Floyd Coal Company mine, and the second was when Bailey sold some land on the Betsy Layne Branch.

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Tandy and Betsy's children were Emma, who married John Powell; Mary, who married Harvey Childress; Thomas, who married Ann Weddington; and Jane, who married Anthony Hatcher.

The two story Layne home, long unoccupied, was made of hand-planed poplar lumber of the finest quality. A small cramped stairway goes up from the front room to two large upstairs rooms. A lean-to kitchen and dining room, now falling down, were built by Tandy on the west side. Large chimneys of crude hand-carved native stone stand at each end of the house. Tandy's nearby slave house is long gone.

James Shannon Layne operated a store across the river from his son's home, near the present (1954) residence of James H. Loar, a Layne descendant.

In 1841 three of Tandy's brothers--William Henry, Sam George, and John Lewis--died of typhoid. Sam and John's tombstones lay on the grass near Loar's garden. Mr. Loar recalls the old story of how a family difference prevented the erection of the stones after they were bought. Tandy and Betsy and Tandy's parents are buried on the hill overlooking the community from the railroad side.

Betsy survived Tandy's death by many years, long enough to be vaguely remembered by today's oldtimers. For most of that time she lived alone. Their farm was bought by Dr. S.M. Ferguson in 1876 and tenants, (including Richard P. Robinson) lived in the old house until recently.

Dr. Ferguson, who lived near the Pike County line (at the present Boldman), died in 1904. His heirs sold the Layne farm to the Big Mud Coal Company owned by John C.C. Mayo, Walter S. Harkins, and others. Shortly thereafter, the Betsy Layne rail station was estab-

lished. The coal company was soon sold to the Olive Hill Brick Company who planned to ship the local coal to its Carter County plant.

The local post office was opened on the east side of the river on May 1, 1908 and named for the old lady local people remembered from years before. But since October 1922 the office at the site of the old Layne farm on the west side of the river has been Justell, a name coined from Justice and Elliott, the operators of a nearby mine. An earlier post office serving the present Betsy Layne post office site was Laynesville, named for James Shannon.

The local railway station remains Betsy Layne and the old Layne house still stands, recalling that once there lived an old lady whom everyone called Betsy Layne.

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STON WAS NEIGHBOR TONSBURG IN 1800

BY HENRY P. SCALF

of 133 miles by ways, between seat of Mason and Charles- of Kanawha inia, but there story when the ced on the Big re was also a county, Ken- the county of

Two counties ight counties in o, plus parts of inia. A straight ive large coun- ource, in itself, n of an indica- ce by road.

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ating Kanawha Virginia Legis- Nov. 14, 1765, Fleming's Statutes ter XIV. Entitled ing a new coun- ties of Green- onary," it reads: by the General from and after of October next.

he counties of l Montgomery, owing bounds, to at the mouth of he said county of ence up the said line of the said ountain generally ame of Cumber- thence a north- g the said moun- t Kanawha, cross- the end of Gaw- thence along the o the line of Har- ence with that ho river; thence

down the said river, including the islands thereof to the begin- ning shall form one distinct coun- ty, and be called and known by the name of Kanawha." By this act, the site of Prestonsburg was in Kanawha county, Virginia.

The Mason county line was partly designated "thence along the said line to Big Sandy, and down the same to the Ohio." Ef- fective date of the act was May 1, 1788. Mason was created by a subdivision of Bourbon county that had the Big Sandy for a border and Kanawha county was carved from Greenbrier and Montgomery counties, both in Virginia then but in separate states now.

The two counties bordered each other for ten years. Then in 1798 the Kentucky Legislature creat- ed Fleming county, Kentucky. Again Big Sandy became a border line, this time between Fleming county, Kentucky and Kanawha county, Virginia. The act creat- ed Fleming county approved by the Governor of Kentucky, Feb. 10, 1798 stated "Thence with the dividing ridge between the waters of Licking and the Ohio until it strikes h waters of Sandy, thence down such branch, east to Sandy." The obscurity of this designated line didn't bother the Kentucky legislators. They didn't know nor care much about Eastern Ken- tucky.

Kanawha and Fleming coun- ties remained with common bord- er until the year 1800 when Floyd was formed. The eastern bound- ary of this new Kentucky county was at the forks of Sandy, the present Louisa. If you had lived al or above The Point on the Lavis Fork of Big Sandy in 1800 and had business to transact at the county seat you would have had to come to Prestonsburg, either on foot or horseback. If you had lived across the river near the present site of Fort Gay, originally called Cassville, and had business to do at the county seat you would have had to make

a hazardous and weary journey to the Kanawha River, where Charleston now stands. Nearly a ty, hundred miles! Only it wasn't Charleston. It was Charles Town, a struggling frontier village, founded by George Clendenin and named for his father, Charles Clendenin. It had been chartered in 1794. Originally the place was the site of Fort Lee.

Some of the original names of the present city of Charleston were "The Town at the Mouth of Elk", Clendennin's Settlement," and "Clendennin's Fort." When Kanawha county was formed, the justices named, in "the commis- sion of peace", met "at the house of William Clendenin."

Southern West Virginia was for the first years of the nine- teenth century, an almost empty land. When the Indians were pushed out, the ruggedness of the terrain discouraged home seekers. This accounts for the late subdivision of the vast area of original Kanawha county. But slowly settlers filled the narrow valleys and bottoms. Cabell county, named for William H. Cabell, who was governor of Virginia from 1805 of 1808, was formed from Kanawha in 1809. Barbours- ville remained the county seat until 1887 when it was moved to Huntington. Floyd county, Kentucky, now bordered Cabell county, Virginia.

The Big Sandy River remained the border between Floyd county and Cabell county until Lawrence county, Kentucky was created in 1821. In 1842 Wayne county, Vir- ginia, was formed. It was named for Gen. "Mad Anthony" Wayne, of Fallen Timbers fame. The county seat was laid off at the forks of Twelvepole Creek and named Trout's Hill, honoring Abraham Trout, owner of the land. The name was changed to Wayne in 1882 when it was incor- porated. Many of the settlers from Floyd county helped people Wayne county, among the fam- ilies being the Sellards, Sullivans, Fraleys, and Deans. Wayne, orig- inally a part of Kanawha and Lawrence (originally carved from Floyd and Greenup), remain today with the Big Sandy separat- ing them.

The Virginia legislature creat- ed two Mason counties, both named for George Mason, author

of the Virginia Constitution, and a member of the convention that framed the Constitution of the United States. The first was Mas- on county, Kentucky, in 1788, but four years later Kentucky became a state and Virginia had no coun- ty honoring him. In 1804, the first partition of Kanawha took place and a new county was created which the Virginia legislators named Mason. Virginia lost this county to West Virginia in 1863. Although Virginia created a number of counties in her later history, she claims none now named Mason. But she tried twice.

Both early Floyd and early Kanawha counties were a vast area of wilderness when their borders joined on the Big Sandy. But today between the two lie the county of Martin, in Ken- tucky, and the counties of Boone, Mingo and Logan, in West Vir- ginia. Some of the early settlers of Cabell had to travel a hun- dred miles or more to vote, an old history informs us. Which, is of course, a great distance. But if, in that period between 1800 and 1809 you were living in Prestons- burg and had wanted to visit the seat of a neighboring county you would have had to travel a "fur piece," indeed.

CHARLESTON WAS NEIGHBOR OF PRESTONSBURG IN
1800 by Henry P. Scaif (Reprinted from
the Floyd County Times, 12/9/1954)

Though it's now ^{highway} 158 miles between
Mayville, the ~~county~~ seat of Mason Co., Ky
and Charleston, the seat of Kanawha
Co., W.Va., there was a time when the 2
co's. joined on the BSR. There was
also a time when Floyd Co. bordered on
Kanawha.

Between ~~the~~ Mason + Kanawha
~~(the)~~ there are now 8 Ky. counties and
2 W.Va. counties. Both counties were
created by the Virginia leg. in 1800.
Kentucky didn't become a separate
state until 1792 while W.Va. ~~(the)~~ ~~(was)~~
~~(a part)~~ remained a part of Va. till 1863.

~~(the)~~ By the turn of the 19th cent.

Kanawha embraced ~~(the)~~ the ~~(the)~~
western and southern section of the
present W.Va. and bordered ^{on} the B.S.R.

~~(the)~~ Acc. to Henning's Statutes
of Va. Chap. XIV, the act creating

2

Kanawha Co. ~~law~~ was approved by the ~~leg~~ on 11/14/1788: ~~(An act for)~~

"Be it enacted by the General Ass., that from and after the first day of October next, those parts of the counties of Greenbrier and Montgomery, within the following bounds; to wit: beginning at the mouth of Great Sandy in the said county of Montgomery; thence up the said river to the line of the said county to the mt. generally known by the name of Cumberland mountain; thence a westerly course along the said mountain to the Great Kanawha, crossing the same at the end of Gawley mountain; thence along the said mountain to the line of Harrison county; ^{thence} ~~thence~~ that line to the Ohio River; thence [^] down the said river including the islands thereof to the

beginning shall form one distinct county, and be called and known by the name of Kanawha." By this act the site of Prestonsburg was in Kanawha county, Virginia (S)

The Mason county line was partly designated "thence along the said line to B.S., and down the same to the Ohio."

Effective May 1, 1788 Mason was created from a part of Bourbon Co. that originally bordered on the BS

The 2 co's, bordered on each other for 10 yrs. In 1792 the Ky. leg. created Fleming Co. - the BS as its border with Kanawha Co. (~~Acc. to the acts of the~~

~~Ky. G.A.~~) K. + F co's. retained the common border till 1800 when Floyd was formed. The e boundary of the new Ky. Co. was the fork of the Sandy, the site of the present city of Louisa. ~~Those living~~ persons living east of the BS, in Kanawha

4-11-18
W. Va. ^{then} would have had to make a ^{long +}
hazardous ~~and weary~~ ^{of nearly 100 miles} trip to the
Kanawha R. where the Kanawha
seat of Charleston ~~was~~ ^{is} located.
Only it was Charlestown then, a
struggling frontier vil. Founded by
George Clendinning and named for his
father Charles. It was chartered in
1794. ~~The site of what was~~
^{early} Charleston. The site of what was
1st called Fort Lee, went by
several ~~times~~ names: "The Town at the
mouth of Elk," "Clendinning's Settle-
ment," and "Clendinning's Fort." With
the formation of K. Co. ~~the~~ its
1st commissioners (or ruling
body) met at the wh. Clendinning's
home.

For the 1st 45- of the 19th ^{southern} cent

W. Va. was very sparsely settled, even
after the Indians were displaced,
white settlement was discouraged by the

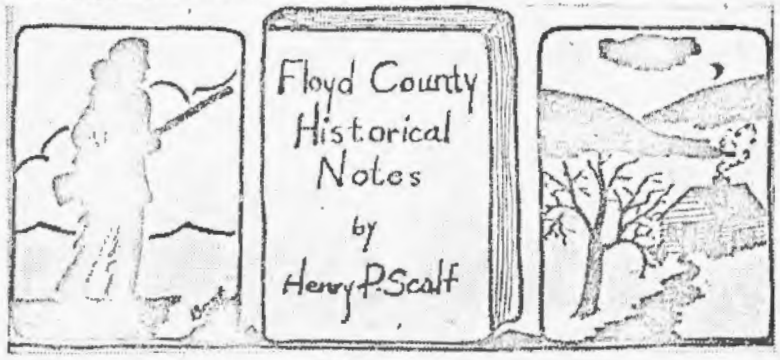
5
ruggedness of the land, Their account-
ing for the ^{relatively} late subdivision of the orig-
inal Kanawha Co. But slowly settlers
~~it~~ began to fill the narrow valleys.

Cabell Co. named for Wm. H. Cabell,
Va's Gov. from 1805 to 1808, was
taken from Kanawha in 1809.

Barboursville remained ~~in~~ Cabell Co.
sett until 1885 when it was
moved to Huntington, Floyd Co.
now bordered Cabell Co, Va.

1-6-1955

Telma Stewart
of P.burg, Ky.
Student of
Leonard
Cooker
more head
state U
1961.



The early Damron family in Virginia came from Suffolk, England, where churches recorded the marriages and births of numerous members of this large land-holding family. The name is of French origin and it is thought that the family resided originally among the French of Belgium. The name is spelled Dameron, Damron, Dainrell, Damarell, the first two being the spelling used most often in America.

We first hear of captain John Dameron in 1619, and in 1640, he was probably master of the ship Duty, which brought the Birdwell prison convicts to Virginia. The first Demerons or Damrons to settle in this country, according to early records, were Lawrence and his wife, Dorothy, who settled around 1652 in Northumberland land county, Virginia, overlooking the Chesapeake Bay, in Wicomaco Parish, which he founded and where he owned 2,000 acres, granted by the crown. Old Wicomaco Parish church is still standing and also the Damron burying ground is preserved, but in bad condition. His children were Bartholomew, George, Thomas, possibly Samuel, and Dorothy. The male descendants of George, son of Lawrence, the immigrant, kept the original land until 1849. The Damrons have settled in most all southern and western states.

Lazarus, son of George and grandson of Lawrence the immigrant, was the first one to leave Northumberland county, Virginia. He settled in Albermarle county, Virginia. His wife was Elizabeth Smith Damron and his children were John, George, Richard, Moses, Winifred, Judith and Hannah.

There are many descendants in this county and adjoining counties today.

Moses, Captain John, Lazarus and Richard, likely descendants of Moses of Albermarle county, were in Russell county, Virginia, at the beginning of the county. This county was taken from Washington county. Records state that Moses John and Lazarus, were in Washington county, Virginia around 1780 and 1786 where Moses and Lazarus were noted Indian fighters and spies employed by the government in this capacity. Lazarus' companion in this undertaking was James Fraley, who settled in Lawrence county, Kentucky. Lazarus also fought at King's Mountain during the Revolution. Captain John was in the Battle of Brandywine, Germantown and Valley Forge and became adjutant of the 72nd Virginia Regiment of Militia, 2nd Battalion, of Russell county.

The first deed written in Russell county was from James Osborne to Moses Damron in 1786, for land on the Clinch river, which in 1791 was deeded to Captain John. Moses and wife Sarah sold their land and went to Fleming county, Kentucky, in 1798 according to Russell county records.

Lazarus and wife, Nancy sold land on Lewis Creek and came to Floyd county, in 1805, and Richard probably came with him where he owned land on Shelby Creek in 1808. Captain John sold his Russell county land in 1805 and moved to Tennessee and then to Franklin county, Illinois, in the capacity of a traveling Methodist Minister. His grave is marked by the uniform Revolutionary marker in Drake cemetery in Franklin County.

1-6-1955

Lieut. Thornsburry, Prisoner-of-War, Composed Ballad on Lookout Mt.

By Henry P. Scalf *Jan. 6, 1955 issue*

Floyd Co. Times

Thelma Stewart of P. burg, Floyd Co. Ky. one of Leonard Roberts' students, Ironhead St. 4. 1961

Lieutenant James M. Thornsburry (1838-1890). Union soldier and prisoner of the Confederacy for several months, had many bitter memories of his captivity, so many in fact that after he escaped and rejoined his fellows, he sat down on the top of Lookout Mountain near Chattanooga and wrote a poem to express his travail. The old ballad, written 90 years ago, is in the possession of James Thornsburry, of Cow Creek, who is a grandson. Other bits of the family history are contributed by Mrs. Betty Michael, of Pikeville, only surviving daughter of the Union soldier. Mrs. Michael attained, the day before Christmas, to the age of four score years.

Not all the memories of James M. Thornsburry were of cruel treatment in a Confederate prison. He happily recalled his youth on the Levisa Fork of Big Sandy near Card Creek. His parents, John ("Uncle Jackie") and Elizabeth Thornsburry, lived in a two-room log cabin there. All around, abounded game. The land was heavily forested, broken only by a few settler cabins of which the Thornsburry's was one.

There was the time, he would recall, when his mother was down near the river washing under a giant sycamore. Her utensils for the work were primitive, but were in common use in a land living under pioneer conditions. She had a wash trough made from a large hollow poplar log, the depth of the depression greater at one end. Clothes were "battled" in this trough-like wooden tub, standing on legs. She used a "battling stick", an oar-like wooden tool, about an inch thick and three feet long.

While his mother was engaged in this weekly chore, James stood nearby, listened to the bay of deer hounds. The sound came nearer, there was a sudden splash as a deer, chased by many dogs, plunged into the river and began to swim across. It came out on Mrs. Thornsburry's side, near the wash site. It could scarcely walk, staggered as it attempted to run. Betty Thornsburry killed it with a stroke of the "battling stick." It was, some said, the last deer killed on the Levisa Fork.

When the Civil War broke upon unhappy Eastern Kentucky, James was 22 years of age. In 1860 he had married Mary Stump (1843-1917), a daughter of George and Betty Ann Williams Stump, Levisa Fork natives. The first child was on the

way when James went into the service. It was born a few months after he was gone. He never saw this son, for the child died while James was in the 39th Kentucky Mounted Infantry.

Thornsburry's ballad gives us no light on his service prior to his capture by the Confederates. Perhaps everything in his war record faded, in his mind, into insignificance before the indignities he suffered in a Confederate prisoner of war camp. He wrote the ballad in late December 1864, while on his way back to Kentucky. Since he informs us, in his metered mean, that he was captured Jan. 9, 1864, he was a captive approximately 11 months. The ballad of nine stanzas, entitled "Trials of a Union Soldier", follows. The old manuscript, has written under the title: "This was composed by Lieut. James M. Thornsburry on the Lookout Mountain, Chattanooga, Tenn., 10th day of Dec. 1864."

On the ninth of January, eighteen hundred and sixty four I was taken by the Rebels on Big Sandy's shore. My sword and pistol, they quickly took away, I stood in the snow and not a word could say.

My pocketbook and money, I quickly threw down And made them believe that I surely had none. They marched me to Wytheville and there I took a car; From there I went to Richmond, a prisoner of war.

And there I remained until months rolled around; During all this time my feet were never on the ground. In Libby prison I was kept until the seventh day of May But quickly we got orders and then we marched away.

We were transported southward, down to Macon town, In the state of old Georgia, a thousand miles from home; My troubles there were great, with not very much to eat, In the sun we were kept and nearly died from heat.

The fall of Atlanta was the cause of General Hood To begin his retreat and that was very good And when the news came, it did quickly sound;



Lt. James M. Thornsburry (1838-1890) 39th Ky. Inf. USA

The prisoners had to leave and go to Charles Town.

And when we were there near the ocean shore, The sound of Foster's cannon soon began to roar. The shells did fly, the town began to burn; It was very funny to see the Rebels run.

And it was not long until we were carried down To Columbia, South Carolina, the course is not known. The camp was very bad, what time I remained, With not a house nor shelter to keep us from the rain.

So one day I concluded I would no longer stay, With boldness and courage I quickly marched away. The Southern Confederacy I left it behind And started up the river a better land to find.

And when I arrived at Knoxville, Tennessee, I was treated like a brother and set at liberty. And now I have met my friends in communion Where the stars and stripes are waving for the Union.

The "better land" Lieutenant Thornsburry wanted to find was the Levisa Fork of Big Sandy in Pike county. In all, 10 children were born to James and Mary, of whom only Mrs. Betty Michael survives. The ballad-writing Union soldier died in 1890 at Pikeville. He was 52 years of age.

Expulsion (Civil War)

Cont

1-6-1958

One son, Lauchie Quilman Thornsby, was educated at Louisville for the profession of medicine, in the same class with Dr. Walk Stumbo, of this county. Dr Thornsby married Pearl Scott, daughter of Martin and Jane Blankenship Scott, of Johns Creek. They had one son.

Pearl Scott Thornsby died in 1911, is buried at Guluare, Pike county. Dr. Thornsby went back to his native Levisa Fork, began to practice medicine in that section. He was shot and killed in 1915 in an affray, growing out of an election difficulty, it was said.

Dr. Thornsby and his father, Lieut. James M. Thornsby, are buried on the Levisa Fork of the Big Sandy near Card Creek.

(The spelling of the family name used here is that used today by most of the descendants of Lieut. James M. Thornbury. Some, however, spell it Thonsberry, and Civil War records use this variation).

David Musick Tragedy Retold As Marker Unveiled at Grave

(Address of E. J. Sutherland Clintwood, Virginia, prepared for delivery at the dedication of the David Musick Monument near Honaker, Virginia, August 19, 1956).

Two hundred years ago this land of peace and happiness on the headwaters of Clinch River was the hunting-ground of several tribes of ferocious Indians. It was originally neutral ground among the tribes. It never became the fixed home of of the red men, but annually it was visited by roving bands of savage hunters, who frequently brought their families into this hunters' paradise for long camping trips during the hunting season. The fierce Shawnee and other Northern tribes and the capricious Cherokees and many Southern tribes often met each other on these hunting tours on Clinch River, sometimes in friendly rivalry, but at other times their meeting ended in bloody battles.

Prior to the coming of the white men into Southwest Virginia, a rather peaceful tribe of Indians called Nulanas occupied most of this section. The more warlike Cherokees and Shawnees coveted their beautiful homeland and drove them out.

While adventurers began to explore Southwest Virginia about two hundred years ago. Dr. Thomas Walker and his companions in 1749-1750 came westward from Albemarle county, Virginia, and passed through Southwest Virginia and out into Kentucky at Cumberland Gap. The next year Christopher Gist explored Eastern Kentucky, and then came eastward through Pound Gap into Virginia. Another twenty years elapsed before the white settlers swarmed into the Clinch territory.

When white people first came to this country, the Indians were comparatively friendly. Several treaties with the Indians had secured a hazy title to the land in Southwest Virginia for the state. However many of the red men resented the encroachment of the white man into their former happy hunting-ground. It took but little provocation to arouse the furious anger of the red men against the white settlers. Therefore from both North and South bloody forays of Indian warriors burst savagely on the pioneer settlements. The whites were at first sparsely settled, and these isolated homes provided shining targets for Indian attacks without much danger of retaliation. The first settlements usually contained a blockhouse into which the harassed white families could take

leaders sent occasional reports of Indians atrocities to the Governor at Richmond, with urgent requests for aid for the outnumbered and harassed settlers. Among these records are the following items briefly stated:

March 27, 1786, two families in New Garden killed or captured; Aug. 12, 1786, Capt. Moore and family murdered on Bluestone; March 17, 1787; three person killed in Castlewood by Cherokees; May 19, 1787, reported John English's family killed at Castlewood in March last (See next item above); May 15, 1783, three boys carried off in Rye Cove; June 24, 1788, Elimes (Elams?), 3 Breedings of New Garden went "gusanqueing" and were killed on Black Mountain; Oct. 20, 1789, Wiley family reported killed or captured; July 4, 1793, reported Mrs. Wiley escaped from the Indians; Sept. 3, 1790, reported 6 or 8 persons killed on Clinch; Oct. 28, 1791, Secretary of War Knox informs the Governor that President Washington was giving orders for the protection of Russell county.

Dec. 2, 1791, Capt. Andrew Lewis appointed to protect frontier; — 1791, guards required in Baptist Valley, Richlands and New Garden (10 men);

Aug. 24, 1792, Capt. Lewis reported that 4 persons were killed, and 12 to 14 taken prisoners by the Indians in New Garden; April 15, 1794, affidavit of Elizabeth Livingston's captivity among the Indians; April 29, 1794, reported that Capt. Bench, halfbreed savage, had been killed, and his scalp sent to the Governor "as proof that he is no more."

The above items have been taken from the Calendar of Virginia State Papers. Many other atrocities have been omitted from the list.

I am indebted to my long-time friend, Rev. Grover C. Musick, for this exciting story of David Musick. Grover Musick is a great-great-grandson of the martyred David Musick. He secured this story from his great-aunt, Mrs. Annie (Musick) Fletcher (born 1832, died 1927), a granddaughter of David Musick. Her narrative follows:

"My grandfather, David Musick, married Anne McKinney, of Russell County, Virginia, and at the time of his death in 1792, his family consisted of his wife, and the following children: Samuel, Abraham, Elijah, Electious, and Phoebe. They lived on a farm near the present town of Honaker.

"Two of the boys, Abraham and Elijah, went early one morning for firewood with which to prepare

breakfast. They were surprised by they found a young mare, and after securing her, they placed the meat on her and had young Abraham, the eldest son, mount her. This boy, Abraham, had red hair, and the Indians were fond of him and treated him very fine. Not so however with Electious, the youngest son, who refused to eat the raw meat along the way, and cried a great deal. As a punishment, they rubbed his face against an oak tree, cutting the flesh deeply. He carried the scars with him to his grave.

"The course the Indians and their captives followed led over Big A Mountain into the present county of Buchanan, down a ridge which bears the name of Indian Ridge in memory of this event, following Indian Creek, which also takes its name for this event. They then came to Russell Fork River, down which they went through the Sand Lick section of Dickenson county to the Junction of Russell Fork River with Russell Prater Creek, where the present town of Haysi is now located.

"Night coming on they decided to camp there. Crossing a knoll a few yards above where Russell Prater enters Russell Fork, they forded the river to what was at that time a small island. An Indian brave, who could speak a little English, said as they were crossing; "White man no come here."

"Little did they know about their peril, for close upon them was a posse of white settlers, who a little later in the night, sighting their camp-fire, moved into hiding behind the knoll and anxiously awaited the coming of dawn to attack and release Mrs. Musick and her children. All of the Indians undoubtedly would have been killed had the orders of the Captain of the posse been obeyed. One of the posse became so excited that he fired before the order to fire was given.

"When Mrs. Musick heard the firing, she and the children rushed toward the whites, she carrying the baby, Phoebe, in her arms. One of the Indians threw his tomahawk at her, but missed, sticking it in an oak tree. Another Indian threw pieces of burning firewood at her. An overruling Providence surely must have saved the family.

"The result of the attack: One Indian killed, another seriously wounded, but who was able to escape with his companions with much pain, as was indicated by his screams. Some years ago a human skeleton was found under a cliff not far from Haysi, supposedly that of the wounded Indian. Then began the long thirty-mile journey back to

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Hardly had the white settlers established their homes in what is now Washington, Russell and Tazewell counties when the red men began to stalk them stealthily from the surrounding forests. The settlements on the Bluestone River and at Richlands, New Garden, Castlewood and Fort Blackmore on the Clinch River became frequent targets for the Indians. Tradition keeps alive some of these wilderness tragedies, and the few remaining records speak meagerly but eloquently of the struggle for life and civilization along the flaming Virginia frontier.

The thrilling stories of the capture and miraculous escape of Jenny Willey from the Indians, the marvelous exploits of the various members of the Harman family, the horrors of the massacre of Capt. James Moore, and the struggles of other hardy Indian fighters in the early days of Tazewell county, have been fittingly told by historians. The murder of the brave James Douglas near Little Moccasin Gap, and the harrowing experiences of the early settlers on the upper Holston River in Washington county have likewise been committed to everlasting print, but very little has been written about the Indian atrocities in Russell County.

Many of the settlers of Russell county served against the forays of the red men even before Russell county was establishing in 1786. Captains Russell, Smith and Boone

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"Two of the boys, Abraham and Elijah, went early one morning for firewood with which to prepare breakfast. They were surprised by a party of Indians (not known how many), but were able to reach their home. The doors were barred, and the defense of the home began. David Musick had a flint-lock rifle. He found it would not fire, due to the fact his house had been burned previous to this, injuring the gun. Mrs. Musick touched fire to the gun, hoping to ignite the powder, but to no avail. Mr. Musick was shot through the thigh by an arrow from the bow of the Indians, and fainted from loss of blood. The Indians broke into the home, killing and scalping him and making prisoners of his wife and children. They then plundered the house and ate what they found of prepared food, their hands gory with blood.

"While the Indians were attacking the house, a neighbor, who had come to the Musick home to borrow a plow, on seeing the Indians became so excited he ran with all speed possible. On reaching the yard of his home he fell dead. He must have had a weak heart.

"The evening previous to the massacre of Mr. Musick the same band of Indians scalped a girl named Brumley, who lived in the same community. They came upon her late in the evening, while churning at a spring house some distance from her house. Strange to say they scalped her alive, leaving her to die. The girl crawled some distance to an old stable and hid in some flax, which was stored in the building. She was found alive, and recovered.

"But to resume my story of the Musick family and the Indians.

"Telling Mrs. Musick and the children to get ready, they started on the long journey back to the

could speak a BLUE MICHIGAN, said as they were crossing; "White man no come here."

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"The posse being very much worn out by the long and arduous trip, when they reached the foot of Sandy Ridge decided to camp for the night at a large spring. But Mrs. Musick insisted they cross the mountain to Clinch River side before camping. Later discovery proved her fear correct, for the party of Indians had turned back after the fight and pursued the whites, following them to the big spring and camping on the proposed camp site of the whites. They gave up the chase here and returned to Ohio."

Such were the sufferings and heroic spirit of the ancestors of many of the citizens of this pleasant community. This monument will be an ever-present reminder to the the present and future generations of the trials of the Clinch River pioneers.

Site of Prestonsburg Was Part Of Preston's 100,000 Acres

Sept. 27, 1956

By HENRY P. SCALF



quest from Mrs. Robert inserted in this column. "Would you ask any of ders about Matilda Presed "Belle of Big Sandy", anyone knows anything orge W. Lewis, born May about two miles above le? Ask, if they do, that tact F. M. McConnell, Fayetteville, Arkansas. the son of Bracken and Preston Lewis."

Martin is interested also in family history. Cordell Hindman, a Hall descenys that Lyman Hall, a of the Declaration of Innce, was an ancestor of a of the Eastern Kentucky nily. Mrs. Martin also rehat persons interested in family history to write

The 2,000-acre survey of John Graham, made for Col. John Preston, of Montgomery county, Virginia, covering the present site of Prestonsburg, was probably not the first that embraced the area but it was the first that stood the test of time and the courts. It was contested by Michael Montgomery and Robert Young in 1812 and required a year of litigation before the question of the validity of the survey was resolved in favor of Graham.

Many attorneys in abstracting titles for clients never bother to trace the chain of ownership of real property back to the original Virginia grant, but Marshall Davidson, Prestonsburg attorney, has just completed a chronological chain of title for a client here that goes back through 159 years to the Graham survey. It contains much Big Sandy history and refers to owners of Prestonsburg real estate who figured prominently in the area's history.

The abstract is in its first few pages a document of historical wealth, and because of its contribution to the history of Prestonsburg it is heavily excerpted here with annotations.

"Floyd county was originally part of a county of the Commonwealth of Virginia, as was the rest of Kentucky until Kentucky became a separate state in 1792 at which time the present Floyd county was a part of the county of Mason, later becoming part of Montgomery and Fleming counties until it was formed into Floyd county in 1800. According to W. R. Jillson's 'Land Grants in Kentucky,' . . . when Kentucky became a state in 1792 all Virginia grants west of the Big Sandy were placed with the Register of the Land Office in the State Capitol and the Old Kentucky Grants began in 1793. Grants west of the Big Sandy would include Virginia Grants for land in Kentucky, as the Big Sandy referred to is the Tug Fork, forming the Kentucky-Virginia border.

(The designation of the "main branch of the Big Sandy" as the border between Kentucky and Virginia was the subject of much controversy between the two states and was resolved by commissioners in 1799 who met at the forks where Louisa now stands and under the influence of too much strong drink mistakenly declared the rising Tug Fork was the larger branch and thus the boundary line. It has been observed that if the commissioners had remained sober the town of Prestonsburg would probably be in West Virginia today.)

1787, in favor of John Graham, assignee of John Preston of Montgomery county, Virginia. This survey and patent is recorded in Floyd county Survey Book C, pages 39-41. The assignment of the survey by Preston to Graham was made by John Smith, attorney-in-fact for John Preston on Jan. 10, 1812. The survey was filed as No. 6564 in the Kentucky Land Register's office at Frankfort, Ky., on Jan. 13, 1812.

(It is evident from these dates that as soon as the assignment was made John Graham rode horseback to Frankfort and registered the survey.)

"This survey was contested in a suit by Michael Montgomery and Robert Young against John Graham, filed July 11, 1812; suit was dismissed in favor of Graham on July 7, 1813. On the same date, viz: July 7, 1813, this same land, as surveyed, was the subject of a Kentucky Land Grant by Governor Isaac Shelby to John Graham, as is recorded in Book 18, pp. 89-92; granted July 7, 1813, recorded July 9, 1813.

"This 2,000-acre survey or patent included the present site of Prestonsburg and adjacent territory."

"It is quite possible that this 2,000-acre survey or patent embraced a number of smaller patents or surveys by the same parties that were senior to this 2,000-acre survey, including the survey of the town of Prestonsburg itself. It appears, as was typical, that only the bottom land along the stream was surveyed and that this 2,000-acre patent embraced the Levisa Fork of the Big Sandy River with two strips of land on either side, extending from the water's edge to the ridgecrest, beginning at a point on the river below the mouth of May's Branch and extending up the river to a point above the mouth of Cow Creek. A stake at the Forks of May's Branch marks a point in the 'back line' of the 2,000 acre survey or patent and also marks the lower corner of the five-acre Lot No. 11 of the original survey of the town of Prestonsburg. Judging from the language of the original survey and the topography of the ground; this marked beech (JG) probably stood at the lower end of the large bottom below May's Branch and this entire bottom was included in and marked the beginning of the 2,000-acre patent. The original survey of the town of Prestonsburg was made May 13, 1797 under Col. John Preston's Grant by John Graham, D. S. M. C., (Deputy Surveyor, Mason county, Ky.) for the Adventurers

March 1, 1815, as recorded in Deed Book A, page 198. The tract with which this abstract is concerned was a part of the 98-acre tract conveyed to Mason Williams of Morgan county, Kentucky, by John Graham, on October 21, 1818, as is recorded in Deed Book A, page 559.

(Mason Williams, a Baptist minister, was one of the founders of Morgan county in 1823. He preached the first sermon in the new Morgan county courthouse and traveled extensively in Eastern Kentucky to preach the Gospel. He was prominent in the affairs of early Floyd and served as Justice of the Peace, being elected in 1819. He was one of the commissioners designated by statute to help locate the county seat of Johnson county in 1844).

"An adjoining tract of 50 acres was later acquired by the same Mason Williams, as assignee of John Yost by a survey of May 18, 1819, under Land Office Warrant No. 2131 as is recorded in Floyd county Survey Book A, page 314. . . ."

"The abstract notes that this Yost tract begins "at a hickory on the Graveyard Branch in the line of John Preston's 2,000 acre survey," and is designated in the chain of title as Tract B.)

"On October 25, 1834, Tract A of 98 acres was conveyed by Mason Williams and his wife Sarah to William M. Smith, as recorded in Deed Book C, page 461, and later, November 10, 1853, the 50-acre Tract B was conveyed by Mason Williams (alone), still of Morgan county, to William M. Smith."

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The Garfield Land and Improvement Company's Articles of Incorporation were dated March 24, 1890, and listed as incorporators were P. D. Harmon, Isaac Richmond, R. S. Friend, T. H. Baldwin, S. T. Nickels, Walter S. Harkins, John C. C. Mayo, and A. H. Stewart. It was capitalized at \$280,000 in shares of \$100 each. Its stated business was the buying and selling of land. The company failed to pay taxes

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s. Martin is interested also in Hall family history. Cordell n, Hindman, a Hall descen- says that Lyman Hall, a r of the Declaration of In- dence, was an ancestor of a h of the Eastern Kentucky family. Mrs. Martin also re- s that persons interested in Hall family history to write

ing titles for clients never bother to trace the chain of ownership of real property back to the original Virginia grant, but Marshall Davidson, Prestonsburg attorney, has just completed a chronological chain of title for a client here that goes back through 159 years to the Graham survey. It contains much Big Sandy history and refers to owners of Prestonsburg real estate who figured prominently in the area's history.

The abstract is in its first few pages a document of historical wealth, and because of its contribution to the history of Prestonsburg it is heavily excerpted here with annotations.

"Floyd county was originally part of a county of the Commonwealth of Virginia, as was the rest of Kentucky until Kentucky became a separate state in 1792 at which time the present Floyd county was a part of the county of Mason, later becoming part of Montgomery and Fleming counties until it was formed into Floyd county in 1800. According to W. R. Jillson's 'Land Grants in Kentucky,' . . . when Kentucky became a state in 1792 all Virginia grants west of the Big Sandy were placed with the Register of the Land Office in the State Capitol and the Old Kentucky Grants began in 1793. Grants west of the Big Sandy would include Virginia Grants for land in Kentucky, as the Big Sandy referred to is the Tug Fork, forming the Kentucky-Virginia border.

(The designation of the "main branch of the Big Sandy" as the border between Kentucky and Virginia was the subject of much controversy between the two states and was resolved by commissioners in 1799 who met at the forks where Louisa now stands and under the influence of too much strong drink mistakenly declared the rising Tug Fork was the larger branch and thus the boundary line. It has been observed that if the commissioners had remained sober the town of Prestonsburg would probably be in West Virginia today.)

"One of these Virginia grants, for 100,000 acres, was issued on or about March 9, 1787 to John Preston and a portion of this 100,000-acre grant, a 2,000-acre patent, was surveyed for him by John Graham on June 27, 1797, which survey and patent was duly entered in Book 18, pp. 89-92 of the records of registry of the land office at the Kentucky State Capitol, now in the office of the Secretary of State, under Land Office Treasury Warrants Nos. 19,078 and 19,079, entered March 9,

made John Graham rode horseback to Frankfort and registered the survey.)

"This survey was contested in a suit by Michael Montgomery and Robert Young against John Graham, filed July 11, 1812; suit was dismissed in favor of Graham on July 7, 1813. On the same date, viz: July 7, 1813, this same land, as surveyed, was the subject of a Kentucky Land Grant by Governor Isaac Shelby to John Graham, as is recorded in Book 18, pp. 89-92; granted July 7, 1813, recorded July 9, 1813.

"This 2,000-acre survey or patent included the present site of Prestonsburg and adjacent territory."

"It is quite possible that this 2,000-acre survey or patent embraced a number of smaller patents or surveys by the same parties that were senior to this 2,000-acre survey, including the survey of the town of Prestonsburg itself. It appears, as was typical, that only the bottom land along the stream was surveyed and that this 2,000-acre patent embraced the Levisa Fork of the Big Sandy River with two strips of land on either side, extending from the water's edge to the ridgecrest, beginning at a point on the river below the mouth of May's Branch and extending up the river to a point above the mouth of Cow Creek. A stake at the Forks of May's Branch marks a point in the 'back line' of the 2,000 acre survey or patent and also marks the lower corner of the five-acre Lot No. 11 of the original survey of the town of Prestonsburg. Judging from the language of the original survey and the topography of the ground, this marked beech (JG) probably stood at the lower end of the large bottom below May's Branch and this entire bottom was included in and marked the beginning of the 2,000-acre patent. The original survey of the town of Prestonsburg was made May 13, 1797 under Col. John Preston's Grant by John Graham, D. S. M. C., (Deputy Surveyor, Mason county, Ky.) for the Adventurers under Major Andrew Hood, Matthias Harman, and Solomon Stratton. The original plat and other records having been burned in a courthouse fire, it was ordered at the Sept. 1810, term of the Floyd County Court that a copy of this plat be recorded and it was so recorded by William J Mayo, clerk of that court in September, 1810 in Deed Book A, page 66.

"John Graham sold most of the upper portion of the town of Prestonsburg to John Spurlock on

preach the Gospel. He was prominent in the affairs of early Floyd and served as Justice of the Peace, being elected in 1819. He was one of the commissioners designated by statute to help locate the county seat of Johnson county in 1844).

"An adjoining tract of 50 acres was later acquired by the same Mason Williams, as assignee of John Yost by a survey of May 18, 1819, under Land Office Warrant No. 2131 as is recorded in Floyd county Survey Book A, page 314. . . ."

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The company failed to pay taxes as Jerome Burrows had also failed for several years, and the sheriff was directed to sell the property. Sheriff M. T. Allen, sold 20 acres to B. C. May and after that the land passed through the hands of many other grantees. May and his wife, Annie L. May, sold to A. J. Davidson in 1895. Davidson sued the Garfield Land and Improvement Company for possession of the land, and after litigation the land was sold to satisfy the tax lien. F. A. Hopkins bought the land at a Commissioner's sale in 1899. The land, soon partitioned, was subsequently owned by divers parties, among whom was W. S. Harkins.

Attorney Davidson describes for purposes of clarification of Tract A and B another tract of 20 acres east of the other tracts. On Oct. 6, 1815, John Graham sold the

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FIRE, ENGULFING VALLEY'S FOREST, FOUGHT BY UNITED COMMUNITY by Henry P. Scalf (Reprinted from the Floyd County Times, November 8, 1956)

The first evidence of the big fire came one evening in late October when most of the farmers and loggers of the Buffalo, Mare, and Caney Creek watersheds were planning to retire for the night. Someone spotted a faint glow on the Buffalo ridge, emanating from the head of Clark Branch.

It had been dry for weeks. The creek beds were as parched as the much traveled roads. To drop a match or even to build a fire to boil water for the family wash was to risk a conflagration. A sudden puff of wind could whip up many small fires in the grass, in fence corners, or at the edges of the woods. Wind-borne sparks could ignite a blaze that would soon engulf fields and fences for miles.

The residents of the area who gazed at the incipient glow over the Buffalo Creek ridges in late 1914 gave little thought to either timber or game preservation. They were mainly concerned with fences encircling the hill pastures. Those long zig-zag lines of split rails kept their sheep from running wild and stray animals from besetting their crops.

Farmers went to bed that night worrying about the next day, wondering if the wind would gain strength, and calculating how long it would be before their fences would be endangered. Many got up in the night, stared at the demarcation between ridge and sky, saw that the glow was a bit higher and brighter. Few slept well that night.

Daylight came and the men went to their usual tasks, except for

those who lived on Clark Branch. Jim Henry Burchett owned several hundred acres there, almost completely surrounded by those split rail fences, many made of yellow poplar logs years ago by his father. Those rails were as "light as a feather" now and lay in beds of leaves. Burchett called on his sons and neighbors and one or two of his tenants, and with an odd assortment of rakes, pitchforks, hoes, and other farm tools they climbed the hill. They did not know it then but many would not return home, except for food and water, for several days.

They climbed the hill, Indian file, throwing the leaves from a wide swath. Slowly they worked toward the ridge. When they reached the crest they deployed right and left, chopping out dead tree branches and rolling decaying logs aside. An elderly man lagged behind the lengthening ring and fired the north side. The blaze erupted quickly, moving downhill, the burned area becoming a protective shield against "wildcat" fires behind the men ahead.

But you can "back fire a ring" only so far because, inevitably, you approach other property lines, and the blaze you set to protect yourself may destroy a neighbor's fences or his barn or other buildings. The Burchett crew stopped their procedure after a few hundred feet and began to clear out a ring toward the bottom to seal off the burning woods. Having done this, they re climbed the mountain, moved the ring east along the crest of the ridge again. Their efforts were nearing an end as they expected to quit somewhere on Buffalo, near the Boyd farm.

Suddenly, one of the lead men looked out into the smoke-filled air and stared intently toward the valley bottom. Others also stopped

their work and looked and listened. They could see a deep gray billow of smoke rising and mushrooming below them. There were faint noises from crackling wood as it burned, all coming up under them from far down the mountainside. "Great God!" a man cried out, "They've raked a ring around their fences and are firing above it. They'll burn us up!"

The slow moving action of a moment before became a fierce effort now as each man dug in at his work. The ring moved along and men, completing tasks behind, ran ahead to other tasks. Suddenly, a billow of smoke swept across the ridge, and in a moment there was heard the rush of a mighty fire that created a propelling wind as it expanded and heated the air. No one spoke and no one looked up. They raked and chopped and dug. The ring was moving faster now and in a few minutes they were far enough east of the onrushing fire to stop. When they did there was a great wall of red flame that swept up and died on the ridge.

Landowners from farther up Buffalo Creek now joined the Burchett crew, and some of the latter went home to eat and bring back food and water to the others. A man went down to the road, walked up the creek, seeking help and begging the farmers to rake a ring around their hill fences. Twilight came, and a man reappeared on the mountain with water and food. Sitting down on the ridge, leaning against giant trees, they ate. But they had no water to wash so many rubbed smoke-filled red eyes with their grimy hands.

Relief came after dark. News had spread in the bottom that the men from Clark Branch had raked a ring up the ridge to their section. Bob, Jim, John, and Beb Scalf, Golden Adkins, Ireland Thompson,

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and others arrived with rakes, hoes, and axes. At midnight several of the original crew, urged by their fellows, went home. The ring reached the Nunnery Fork where the widowed Rebecca Nunnery lived. Her son Sherman joined the firefighters.

To protect the Nunnery Fork farm a ring was raked down a point to the creek. The men were thinking of going home now for the fire was practically sealed off on Lower Buffalo Creek. They climbed back to the ridge, intending to "walk the ring" to find danger spots or breakovers. Pausing to wind on the high ridge they saw a red spot in the woods farther up the creek. It grew bigger and moved out in all directions. How this fire had been ignited no one could say. Maybe it was a hunter bent on enjoying a forest blaze. Or a carelessly thrown match.

Again, they deployed in single file, stringing along the crest of the ridge. According to a quickly formed plan, they took the ring around the Nunnery farm and off to the creek again. Daylight came, then noon, and another evening. Aunt Becky Nunnery sent food and water. The men were now beyond the last fire and had passed the Paw Paw Fork.

They stopped on the high mountain to eat and rest. By then the fire had swept over to the far side of Buffalo Creek. The men sat for an hour or more. Several dozed on the hard ground; one or two talked of fox hunting, a few discussed their crops. Several wanted only to rest before starting for home.

But many of them objected to leaving the fire at that time. They were afraid that if they did the fire would move on to Mare Creek, destroying the fences of their kinsmen. They began to debate

this issue, each expressing his opinion in desultory fashion. Nothing had been decided when they saw a lantern bobbing up and down along the ridge several hundred yards away.

A half hour later the lantern bearer came into view followed by three Mare Creek residents. They joined in the argument, begging for help to take the ring further up Buffalo. The Mare Creek landowners won. No matter how tired a man might be he couldn't resist an appeal to help save a lot of fence.

It was past midnight when they stopped again. Bob Scalf, who was to die a few years later in an Argonne wheat field, was sent to Mare Creek for water and food. The crew, now numbering at least a dozen men, fell down on beds of leaves just under the summit of Bedstead Mountain. Nearby was the evergreen-crested top of Pine Knob.

The ring stretched out west from where the men sat, snaked along the ridge crest for several miles. They argued over how long it was. Some said it was five miles. Another argued that they had raked, side rings and all, a protective path for eight hours. Finally, they quieted down and a few fell asleep. All awaited food and water.

Soon there was perfect silence as the little cluster of fire-fighters lay on the leaves. How long they lay there, with every muscle and nerve weary from the effort, no one could recall. A man yelled and they rose to their feet, groggy and leaning on their tools. All eyes turned to stare at a sudden shower of wind-borne sparks coming from the other side of Buffalo.

Thousands of sparks sank into the deep canyon-like valley but others were carried almost to the feet of the watchers. It was now a question of time till the whole mountain where they were standing

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would be a blazing inferno. After quick consultation they started again to rake, talking intermittently of the absolute necessity of continuing the ring around the head of Mare Creek and through the Courtney Gap ^{to} ~~of~~ Harmons Branch. They moved out around a great flat, under the smoke-covered tops of the Pine Knob and Bedstead Mountain.

So intent were the men on their work that none saw the initial spark that fired the upper reaches of the mountain. When they looked it seemed as if there must have been some giant explosion. Flames were sweeping up the mountains, carried by the increasing wind. The men paused to watch, through the flames and smoke, the giant trees that soon toppled over. Swiftly the wall of fire moved toward the crest of the mountain, with the noise of exploding rocks like distant thunder.

It was the capricious wind that saved them from continued effort. No one can anticipate a wind's vagaries in an area ringed by mountain forest fires. It shifted, blowing almost at right angles to its former course. The fire came to a sudden stop in its mad sweep around the steep sides of the hill. Almost simultaneously with the change of wind, every man sank to the ground. Now and then a squirrel and a raccoon or two scampered by, fleeing the fire.

Down in the bottom Bob Scalf and two young boys he had recruited started the long climb up Bedstead Mountain. Each carried several food-filled buckets and jugs of water. Bob had two jugs in a sack thrown over his shoulders. He carried a bucket in his left hand and swung a lantern with his right. The two youngsters tagged along, stumbling in the path, enjoying the adventure of dark places and sudden falls.

Bob and the boys found the fire fighters curled up in grotesque positions asleep in the leaves. All grumbled when they ~~were~~ were awakened. They ate lustily, drank loudly from the jugs. The two boys scampered about on the outer edge of the group, chasing each other in the leaves. One, hearing an animal squeal, found a chipmunk seared and dying.

"You know, I think it's going to rain," said Bob, pointing at the sky.

"No such luck," someone answered.

They all stared through the trees and spotted rain clouds coming from the west.

"West winds bring rain," a man said. "Yep," and his voice rose a bit, "It's going to rain."

The clouds thickened and from the outer ring a man observed quietly: "This is one that ain't going around."

Bob Scalf sat propped against a tree, humming a tune in his deep bass.

"Sing us a song, Bob," a Buffalo neighbor urged. Others added to the request.

Bob fumbled slowly in his pocket, bringing out a tuning fork. He always carried it with him when he sang at parties and stag gatherings. He tapped the fork against a stone, listening to the vibrations. "What are you going to sing, Bob?" a man asked. There was no reply. The old singing master was listening to his fork.

Slowly, the deep bass notes of "Rock of Ages" wafted on the mountain. Many joined in a moment; others hummed the ancient tune for all knew the hymn.

The song ended, and no one spoke until the magic of the old hymn faded.

"You know what I think?" one said. "I think we are going to get wet."

They picked up their tools and prepared to leave. Bob and the two boys retrieved their buckets and jugs. The first rain drops pelted the green leaves. "You know," a man said, proudly, "nary a farmer lost a rail of fence."

"Not a rail has burned," another agreed. As he spoke, a pheasant rushed across the bench and disappeared in the darkness. "You know, though, somehow I think these big fires make the hunting bad."

There was a crash on the mountain and a billow of smoke and sparks as a tree fell. "I think, too, there's an awful lot of timber wasted," he added.

"Quit worrying about the timber," he was told. "There'll be timber when we ain't around. But I'm like you about the huntin.' There just ain't much game for a long time after a big woods fire."

The men were preparing to leave now. Some were going back along the flat to take the ridge home, while others would move cautiously in the pale light down the steep slope of Bedstead Mountain.

10-10-05

COLORFUL HISTORY AND LEGEND ABOUND IN BIG SANDY VALLEY by Henry P. Scalf (Reprinted from the Floyd County Times, December 20, 1956)

The people of the Big Sandy area may be more conscious of their early history than are people of any other section of Appalachia.

Their longtime isolation was broken half a century ago by the intrusion of the railroad. Their emergence into the twentieth century was but a step, psychologically, from the log cabin era when the settlers fought Indians and tried to tame the primitive wilderness.

Oldtimers of the Johns Creek area of Pike and Floyd Counties often refer to William Robert Leslie as "the First Man." It was Daniel Boone, they declare, who brought Leslie to Johns Creek and showed him the wide bottoms.

Leslie climbed a high ridge at the mouth of Big Brushy Creek and, looking over the pristine valley, exclaimed: "Great God, what a place to live!" The Leslie settlement is history, but legends like those about the First Man, have been perpetuated in this area for years.

On a day when the sun shines and visibility has no ceiling save the blue canopy of the sky, you can climb Old Bedstead, a 1,700 foot mountain in eastern Floyd County, and view a large section of the Big Sandy Valley. You know that north is Johns Creek with its branches--Buffalo, Caney, Big Brushy and Bent. South is the Big Sandy River, with the high knobs of Sugar Camp and Brandy Keg jutting up like rugged sentinels.

Each place name suggests a legend. Bedstead Mountain received its name when Tandy R. Stratton, having need of another bed, took

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an axe and went up a little ^{valley,} At the foot of the hill that bears this name, he cut down a giant poplar, and with deft carpenter strokes he fashioned himself a bed. He slept on it for a decade, and after he died his children, recalling how it was made, preserved it in an attic.

The Bedstead Branch flows into Mare Creek, a tributary of the Big Sandy. The Strattons settled Mare Creek and, in 1821, when the dividing line between Pike and Floyd Counties was run, the family found itself in Pike. "I don't like to do business in Piketon," the clan head said, and began a fight to get back in mother Floyd. He made it twenty four years later when the General Assembly passed a special act for his benefit.

But his land didn't touch Floyd County anywhere, and although by legislative act he was no longer in Pike County, he was still surrounded by it. Oldtimers ^{have} called the 1,000 acre tract "Little Floyd County." In between Floyd and Little Floyd was a quarter mile stretch claimed by both counties. A confused judge once named it "No Man's Land." Scarcely a year goes by that Stratton descendants on their farm don't fight, legally or otherwise, to stay in Floyd County.

Buffalo Gap is a low pass in the ridge between Little Floyd and the headwaters of Buffalo Creek. Streams with such picturesque names as Big Rough, Paw Paw, Twin Branch, and White Oak Creek head in this wooded country. In the mountainside near the Broad Hollow are caves --dark holes in the rocks leading to nobody knows where. One was visited by ^{the} Rev. Robert Adams when he was a boy nearly a century ago. He pushed aside leaves and animal bones as he wiggled through the tight dark tunnels and emerged several hundred feet downstream.

No one has tried that since.

The Big Sandy is a great place to live, as the Great Man said, and especially so if you like to hear the old legends about it. Some of these may be trivial and of interest to none but the local residents. But others may intrigue everyone in the region.

There was the Wolf Creek posse which, in 1847, went after Bill Pruitt and killed him on the headwaters of Tug River.

Abner James was sentenced to hang. His brother-in-law Billy McCoy rode to Frankfort and begged Gov. William Owsley to pardon the condemned man. He secured the pardon and hurriedly rode back to Big Sandy, arriving the night before the day set for the execution. That was history.

Stories told around many a fireside embellished the account of Billy McCoy's ride from Frankfort. He is said to have killed four horses in a wild breakneck ride, arriving in Louisa on the day of the execution. He plunged through a large crowd toward the moving wagon in which Abner James rode, sitting on a rude coffin. McCoy passed the governor's pardon to the sheriff. Legend insists that James then stood up, and flapping his arms, crowed like a cock: "The jury said I'd hang; the governor says I won't." Just where history ends and legend begins no one can say, and most don't care. History has ruined many a good story.

Jenny Wiley's capture by the Indians in 1789 in Ab's Valley, Virginia, is history and legend. Historians tell of her capture and the death of five of her children and a brother at the hands of a mongrel band led by Black Wolf, the Shawnee, and of her escape to Harmon's Station, the first settlement in eastern Kentucky, midway

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between the present Prestonsburg and Paintsville. The Harmons escorted Mrs. Wiley back to Virginia, but she and her husband, Thomas, returned to the Big Sandy, becoming two of Johnson County's first settlers.

Over the years she told and retold the story of her captivity and rescue to her children and neighbors. The legend grew after her death. The Auxiers, founders of Blockhouse Bottom, at East Point, often related the story of how Mrs. Wiley was led on the escape path by a bird flying along the trail. Members of the Borders family, nieces and nephews of Mrs. Wiley, added to the legends. They would tell of how, Running wildly through the forest, she wore out her moccasins. Stumbling along on frozen ground, her feet cut and bleeding, she found the still warm carcasses of a buffalo her pursuers had killed. She parted the warm flesh and stood on it until her pain went away. These are legends, unverifiable by the historians, but told and retold on the Big Sandy.

Stories like the Wiley captivity had a tremendous impact on the consciousness of pioneer families. Historic and legendary accounts of her experience have become so confusing that historians have accepted, with little credit, what is said to be known about her. In the remote sections of the Big Sandy mothers still sing their babies to sleep with the Jenny Wiley lullaby. And when they get older and start to stray from their homes children hear their mothers call in warning "Jenny Wiley, Jenny Wiley", and they hurriedly return to their homes.

As one travels up the Big Sandy, passes Pikeville, turns up Shelby Creek, and crosses over onto the headwaters of Elkhorn, he comes

to the foot of Pound Mountain. Here is Pound Gap through which passed the first settlers of the Big Sandy Valley. A great highway is being finished through this historic pass. But not long ago the road was only a wagon trail, rocky and beaten under by at least a century of traffic. Col. James A. Garfield, the Union commander in that area, fought a battle there and routed the surprised Confederates.

Picket Rock stands like a sentinel a few hundred yards from the gap. So named because Confederate commanders posted men there to watch down the Sandy road, it is better known as the site of Dr. M.B. Taylor's massacre of the Ira Mullins family. In 1892 Taylor, the Red Fox of "The Trail of the Lonesome Pine", and two associates, the Fleming brothers, hid in a jumble of rocks and fatally shot five of that family as they approached the gap. Only Jane Mullins and Ira's fourteen year old son escaped. For a while Dr. Taylor hid in the woods of Letcher, Pike, and Wise Counties while his two associates fled to West Virginia.

The authorities sent for Ed Hall, a Floyd County native, whom everyone called "The Mountain Man Hunter." When outlaws defied other peace officers, Ed Hall would be sent to bring them in. He found Dr. Taylor in a fruit tree box at the Bluefield, W.Va. express office where his son had shipped him from Norton, Virginia. [Editor's note: Actually Dr. Taylor was found in a freight car in the Bluefield railyards where he was waiting to hop another freight for Florida.] Taylor died on the scaffold but Ed Hall was sick then and did not see him die. Later Hall and two others walked six days into West Virginia to get the Fleming brothers. After killing Cal Fleming, they brought his brother, Heenon, back for trial.

Dr. Taylor, murderer and mystic, was an educated man who mixed science and sorcery to cure his mountain patients. He was a deputy United States marshal for a few years and rode the woodland trails under the towering Cumberland cliffs with his winchester and a long telescope. He was expert at tracking his adversaries as well as avoiding them. It is said that, on occasion, he would put his shoes on backwards to elude pursuers. He preached a long sermon to the crowd that had come to see him hang, saying that on the third day he would rise from his grave. Nobody admitted believing him, but just in case they left a lighted lantern on his grave for a week.

John Wright, known as Devil Judd Tolliver in John Fox's "Trail of the Lonesome Pine", lived in a big two-story log house on Elkhorn Creek, near the present Jenkins. He was host to travelers through that area who cared to accept his hospitality. A friend of Bad Talt Hall, the Beaver Creek outlaw, he had a man take Talt's body from the scaffold in Wise and return it to Kentucky for burial. Wright and Talt had feuded with "Old" Clabe Jones, the Floyd and Knott County badman. Wright and Jones, with their respective henchmen, would travel back and forth over the headwaters of Beaver, Elkhorn, and Troubleome Creeks. Both were duly deputized peace officers and fought their feud under the authority of the law with warrants for each other's arrest. But the warrants issued by different counties were never served.

The Civil War added to the legends of the Big Sandy. The battle of Ivy Mountain was fought in 1861. "Bull" Nelson, Union leader, drove the Confederates under Col. A.J. May back toward Virginia. It was a rebel debacle, but southern sympathizers would not have

it so. They composed a song, singing it in defiance of history:

"You ought to have heard them Yankees' shinbones
rattle
When at the Ivy Narrows they were stricken with
horrors."

The song was written by a mountain balladist long after the fight when few Big Sandians would admit the Confederates had lost the battle. But Anthony Hatcher and five of his fellow rebels knew it then. Hatcher had a thigh bone broken by a "Blue Brute" bullet, and his friends quickly put him on a horse and fled up Ivy Creek. Entering Mare Creek through the Sugar Camp Gap, they dropped the wounded man off at a Union home where a pre-war friendship brought care and medical attention. The other soldiers, one seriously wounded, climbed a hill on the road to Pikeville and camped on Rock Spring Mountain that night. Here is a natural spring emerging from a rock near the top of the mountain. The wounded man died that night, and as no other means of burial was convenient, his comrades crammed him into a hollow chestnut log and left in the morning. In later years the story of the burial on Rock Spring Mountain was told around many firesides.

The legends are easily recalled because the transition from pioneer days to the present was slower in the Big Sandy than in any other section of Kentucky. The Indians clung to the valley after they had surrendered the rest of Kentucky, and the isolation of the area was pronounced until late in the nineteenth century. Suddenly emerging into the twentieth century, the people of our valley looked back on their long history as if it were but yesterday.

Big Sandians talk of Daniel Boone as if he lived only a few years ago. The Auxiers have a buffalo robe he gave one of their ancestors when he was leaving Blockhouse Bottom. The Leslie's have a powder horn he gave "the First Man." Midway up Right Beaver Creek, on a stone overlooking the hamlet of Eastern, is carved the lettering "D.B. 1775." Whether the frontiersman sat down there on an eastern Kentucky hunting trip and cut his initials has been debated by historians but not by local residents. The initials are there and Boone was there.

The mere facts of history in the Big Sandy never suffer for embellishment. Nelson Boggs of Lawrence County, a member of the 14th Kentucky Infantry, was killed at their battle of Middle Creek in 1862 while serving under Col. Garfield. This much is historic fact. But oldtimers say that, in the carnage of battle, his comrades picked up his body and hefted it into the crotch of an apple tree until the battle was over. True or not, this is a typical Big Sandy elaboration.

Another belief is that the Federals falsified their casualties list. Returning Confederates were told by their kinsmen and friends back in the valley that large numbers of the Union dead and wounded were loaded on the barges and shipped downstream to Louisa and Catlettsburg. The story served to salve the pride of the defeated troops of Confederate Gen. Humphrey Marshall.

Though many sections of Kentucky have had as much history as the Big Sandy Valley, no accounts of the events occurring elsewhere were as romantic or picturesque as ours.

July 30, 1959 issue of

HARDIN JESTED ON SCAFFOLD

Floyd County Times

WITH EXECUTIONER AT GRUNDY

By HENRY P. SCALF

The sun dropped slowly over the mountain rampart that guarded the deep recesses of Andy Branch. Down in the valley the road was rutted from the hauling of giant logs. Puffs of a cold, evening breeze whipped dust around a man on foot who trudged in the lengthening shadows.

Scott Ellis was on a mission for a court in Mingo county, West Virginia. He was seeking John Mounts, Andy Branch logger, to serve a summons. Up the branch a young man sat upon a log by the roadside, muttered and caressed the long barrel of a .32 Winchester rifle. Higher up the valley, Harve Mounts, his day's labor ended, walked down the road to procure salt for his ox team while John Mounts, his nephew, stayed at the log "pit," to do late chores. Fate was weaving a pattern in the dark valley; the warp and woof would meet, and there would be blood in the dust of the road.

Ellis was tired and it was late but he hurried along the path. Back behind him was Tug River into which the Andy Branch flowed. A mile and a half from the mouth of the branch the Kentucky-Virginia line ran obliquely across the stream. The lower reaches of the branch was in Pike county, Kentucky, the upper half was in Buchanan coun-

ty, Virginia. Ellis trusted that John Mounts would respect the summons of the Mingo county court and go with him to Williamson.

Autumn evenings are cool in the mountains, sometimes cold. It was September 24, 1897, and there was a hint of frost in the air. Ellis walked briskly around a curve of the road, saw a man sitting on a log with a rifle.

Ellis told him he was looking for John Mounts and asked his name.

"I am John Hardin," the man replied, rubbing his hands over the length of the gun and scarcely looking up. "John Mounts is up the hollow," he added shortly.

Ellis went on up the road, found John Mounts at the log yard. The logger said that he had his team to look after but that if the officer would go up the road with him on the errand he would accompany him back at once. The two walked up Andy Branch. Harve Mounts, who had gone for salt, caught up with them and they unyoked the oxen and gave them salt. The trio started back down the valley.

Half a mile above the state line in Virginia the trees reached out, almost completing a canopy over the road. Here the shadows were deeper, here John Hardin sat on a log, caressing the wea-

pon he held. Hardin heard the voices of the three men coming down the road and he barricaded himself behind a tree stump. The long rifle pointed in the direction of the voices.

Ellis and the two loggers approached the log upon which Hardin had been sitting when the officer had gone by an hour before. Noting that he was no longer there, their eyes searched the locale, saw the rifleman about 30 yards away. He was rising from behind the stump, muttering curses on John Mounts.

The gun spoke and John Mounts spun around, blood spouting from an abdominal wound. Seizing an ironwood bush, he sought to remain unright but failed and slumped in the road. In a few seconds he began to pull himself up, got to his knees. He began to plead for his life, mixing his pleas to his killer with supplications to God.

Ellis and the victim's uncle, Harve Mounts, shouted at Hardin not to fire again but the ambusher took a few steps, raised the rifle. Mounts was on his knees, praying and crying, "I am bound to die." The rifle fired again. John Mounts cried in agony, fell over full length in the dust. Harve Mounts jumped behind a walnut tree. The gun spoke again

(See Story No. 5, Page 4)

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and this time Ellis spun around, blood streaming from his hand and shoulder. Harve Mounts dashed from the protection of the tree and sprinted up the road. Ellis ran after him, holding a hand red with blood but looked back as he raced for life. The killer was running the other way, his rifle held high in his right hand as he fled.

Ellis and Mounts ran up the road until they came to the cabin of Oliver Clay, who had heard the shots. An inspection of Ellis' wounded hand and shoulder showed no serious injury and after a hurried and crude dressing to stop the blood, the three went down the branch to aid the stricken John Mounts. They found him in agony, rising and falling, crawling and staggering until he was several feet from where he was shot.

The dying man looked up at Clay, said weakly, "Lord, I'm bound to die. I am bound to die."

He prayed and talked and cried in agony. Shuddering from cold, he begged Clay to get him to a fire. Clay went back to his cabin, returned with an axe, built a roaring fire in the road. Harve Mounts went to get assistance to move his dying nephew.

Ellis watched as the young logger grew weaker. Now and then he moved him a bit, seeking to keep him warm, for he complained steadily of the cold.

"I am bound to die, Oliver," Mounts said. "Get me to a house. Take me to a fire. I am freezing. I want to die by a fire in a house."

Clay picked him up, had to let him slide back to the ground, for Mounts was a large man. Harve Mounts returned in a few minutes. He was alone. He and Ellis had a short conference. The uncle went away again, leaving Clay with the dying man.

Sometime later—some said it was hours—neighbors in the sparsely settled area came to the scene. They saw Mounts was dying and decided against moving him. He died at three o'clock in the morning.

The body of the dead West Virginia logger lay in the road until 11 o'clock when his wife, Sarah, arrived on muleback. She had the body of her husband removed across Tug River to their home.

The ambush-killer, beginning to realize the enormity of his crime as soon as it was done, continued to flee down the Andy Branch. The exact trail he took to escape is not known but a mountain ballad, "The Legend of John Hardin," says that, coming to Tug River and not finding a boat, he plunged into the stream and swam across in an

effort to catch a train that was due. The train was late and Hardin sought safety in the woodlands.

Six days later, James Charles, sheriff of Buchanan county, approached him at War Eagle, West Virginia. He was brought to Grundy, Virginia, and incarcerated in the little wooden jail, Sept. 30, 1897.

Mountain minstrels sang for years a typical ballad, of how Hardin tried to escape but was captured because the "eastbound train was late."

The day Sheriff Charles arrived at Grundy with his prisoner an examination of the charge was made. Hardin waived it to the Buchanan county grand jury. He was indicted Oct. 27 and by agreement of counsel of both sides the case was docketed for Nov. 3.

The court at the beginning of the trial placed the prisoner in the custody of two hefty deputy sheriffs, J. N. W. Blankenship and H. M. Francis. These two took every precaution to see that the 21-year-old Criminal did not escape, and during the trial the two flanked Hardin's every move from the courtroom to the jail.

The trial, at which he pleaded "not guilty," lasted five days. On the afternoon of the fifth day, final arguments having been completed, the jury retired. They returned in a short while to announce disagreement. Judge G. L. Counts sent them back to try again. The next morning the jury filed into court and handed Judge Counts its decision. The prisoner was guilty of murder in the first degree. The defense moved for a new trial. It was overruled.

Judge Counts ordered the prisoner to stand up. The spectators were quiet, realizing that the first degree murder verdict carried no other sentence but death. Slowly the judge intoned that Hardin was to be hanged by the neck "until you are dead, dead, dead. May God have mercy on your soul." The condemned man was led away, escorted by Blankenship and Francis.

Legal maneuvering consumed weeks. There was an appeal but the sands of time ran out for John Hardin. The day of execution was set for Dec. 17.

In the meantime it had been concluded by the authorities that the wooden jail was insufficient to hold a prisoner as desperate as a man sentenced to hanging must be. He was taken to the Tazewell jail.

Considerable sentiment was worked up for Hardin, many people expressing the opinion that hanging was too severe a crime for a man to suffer because he had killed another in a jealous rage. As one writer expressed it, "Hanging was a kind of justice that didn't seem a man's just portion."

The scaffold was erected a mile and a half below the town of Grundy on the Levisa Fork of the Big Sandy river. The structure completed, Sheriff Charles ordered himself a black suit. Relatives of Hardin came to the sheriff, solicited the body and said they would take it at the scaffold for burial on Andy Branch. This errand done, they went out and ordered a black suit for their kinsman.

The day of execution approaching, Sheriff Charles and his deputy, Paris Charles, went to Tazewell to claim their prisoner. On their return they traveled by train to Raven, Virginia, where the three began a long horseback ride to Grundy.

Twenty-four hours before Hardin was to go to his death he requested the rites of baptism and before a great concourse of people on the bank of the Levisa Fork, Elder Wallace Compton officiated at the ceremony.

Hanging day arrived and so did thousands of people from the entire tri-state area. It was the greatest crowd that had ever jammed into the mountain town on the Levisa Fork. Wagons loaded with entire families came from all the main head stream valleys of the Tug and Big Sandy.

Early in the morning Sheriff Charles saw to the last preparation for his official duties. The home-made coffin, lined and covered with white satin, was placed in a wagon drawn up beside the little jail.

A few minutes past noon Charles and a deputy entered the condemned man's cell. Hardin, comforted by his wife, Lizzie, in his last hours, was neatly shaven and dressed in the black suit. He was ready, he said. The shadow of the scaffold had effected a reconciliation between husband and wife.

Sheriff Charles, his deputy, the prisoner and wife, entered the wagon. Hardin and Lizzie sat down on the white coffin, neither speaking, neither paying any attention to thousands lining the wooden sidewalks. The mule-drawn wagon lumbered down the muddy street.

Hardin and his escort walked up the thirteen steps of the scaffold with unchanging mien. Sheriff Charles was grim and sombre. Elder Compton began to pray. Hardin bowed his head and there were those who said they saw his lips moving with a last minute supplication. The prayer ended, some one began a song. Hardin stood and joined his voice with the others.

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Asked if he had anything to say, Hardin addressed the crowd:

"I am here for killing a man because of my wife. My wife was the cause of it all. I thought I was doing right when I killed Mounts but now I see I was wrong. The Lord has forgiven me for it and I am ready to die."

He announced he had composed a hymn that he would like to sing. It was titled, "Let Thy Bosom Be My Pillow."

Taking a sheet of paper from his pocket, he slowly unfolded it. "On this scaffold high for murder, Let Thy bosom be my pillow," he sang.

The song ended, he bowed his head in prayer. In a few moments he looked up, said quietly: "I am prepared to go. I will soon be free from sin, prison, death and misery."

*Sheriff Charles looked at his watch, told Hardin he had but nine minutes to live.

"That's a short life," the prisoner quipped with a smile.

He took a piece of tobacco from his pocket and while reaching it to Charles requested him to give it to a Mrs. Dennis who was in the crowd. "I am ready now," he said. "Don't tell me when you are ready to let me drop."

Charles adjusted the rope and prepared to slip a black hood over Hardin's face.

The killer of John Mounts saw the sheriff's action, and remembered the cigar he had put in his mouth a moment before, reached it to the man who was to execute him, said sardonically: "I will this cigar to you."

The sheriff held the cigar in his left hand, raised his right arm to swing down with a hatchet to cut the rope that would send John Hardin to death.

The spectacle of a man going to his death as nonchalantly as Hardin endeared him in the hearts of the rugged mountaineers. Even today, in the recesses of the Cumberlands, there are places where people will gather in the late evenings and sing, "The Legend of John Hardin," to the accompaniment of a guitar or banjo.

They sing of how an eastbound train was late and of John Hardin who went to his death with a jest and smile.

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BIG SANDY RIVERMEN'S CUSTOMS REVIEWED IN FLOYD COUNTY LAWSUIT by
Henry P. Scalf (Reprinted from the Paintsville Herald, February 15,
1956)

Fifty years ago a "drummer" for a Knoxville wholesale drygoods company walked into J.P. Laven's store at Dwale and sold him a bill of merchandise. The goods were shipped to the rail terminal at Whitehouse from which it was brought up the Big Sandy to Dwale. The carrier dropped Laven's merchandise in the water. The ensuing lawsuit reveals many old riparian customs.

Several years after Laven initiated his suit against the Chesapeake and Ohio Railway Company the Kentucky Court of Appeals rendered its decision. Judge W.E. Settle, reviewing the case, recalled bits of old river lore, long unmentioned but still recalled by old-timers.

In his decision Judge Settle wrote:

"Appellee (Laven) was a country merchant, his residence and store at that time being at Dwale, a post office situated in Floyd County upon the Big Sandy, about 30 miles from Whitehouse. There is no railroad from Whitehouse to Dwale, and the public roads between those points being mountainous and practically impassable for wagons, the only way of transporting merchandise or other freight from one of these points to the other is by the boats running the Big Sandy river; both small steamboats and 'pushboats' being used

for that purpose.

"The pushboat is a flat boat operated by poles in the hands of experienced boatmen. The Big Sandy River is a swift, though shallow mountain stream, subject to sudden rise and fall. Much of the time its depth is not sufficient for the running of steamboats but it is always sufficient for the operation of pushboats. It often happens however that a sudden rise in the river will stop the running of pushboats up streams, as in such cases the unusual force of the current resulting from the increase in the volume of water becomes too great for the boats to be propelled against it by pushing. When the pushboats are caught by these rises, they make a landing and tie up until the river runs down to such a stage as will enable them to proceed; but if while one of the pushboats is tied up, a steamboat passes going to the same point of destination it is the custom for the freight of the pushboat to be transferred to the steamboat for further transportation and delivery to the consignees, by which arrangement, without additional cost, a quicker delivery of such freight would result than would be accomplished by the pushboat."

So much for the customs of the river as reviewed by Judge Settle. After many years' evolution the river customs brought trouble to several parties and a lawsuit for the railroad company. The box of goods unloaded from the railway car at Whitehouse had a soggy adventure.

One of the men who had trouble from the box of goods was Green Wells, an old riverman and captain of several pushboats for hire. He operated up and down the Big Sandy, wherever his boats could get business. As he was often in Whitehouse he was entrusted by the upper Sandy merchants to transport many a barrel of sugar, salt, and flour.

Whitehouse, as the railroad's southern terminus, was a boomtown, the wharfs and rail station piled with freight and crowded with people. But if that freight were allowed to accumulate the congestion would overflow the storage facilities. So here another custom of the river would come to play. At the suggestion of the terminal freight man, boat owners would often take goods on their boats without being asked by the consignees and deliver them, collecting at the final destination, usually from a very pleased merchant.

When the box of drygoods from Knoxville arrived at Whitehouse the freightman in charge asked Wells to deliver it by pushboat to Laven. Wells really tried his best. He had delivered goods to Laven before and he knew that his Dwale friend would willingly pay the river freight. Since the box had been at Whitehouse for eight days, he assumed that Laven would be anxious to receive his merchandise as soon as possible.

Judge Settle, in his decision, noted that "at that time there were as many as 200 merchants and others residing and doing business

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upon and contiguous to Big Sandy river whose goods and freight were shipped to and received at Whitehouse and from there carried by steam or pushboats to the consignees." He felt that with such a large amount of freight accumulating at that place the agent was justified in offering Laven's goods to Wells for delivery.

Wells placed Laven's box on his pushboat. His men, using their arms and stout poles, moved up the river. The water was low and only the steamboats of light draught were on the river that day. A few clouds were a harbinger of rain, but Wells and his men, river veterans, had no premonition of trouble. They had weathered many heavy rains on the Big Sandy before.

Suddenly, in the early afternoon, the heavens opened and the pushboat crews hastily swung tarpaulins over the piles of freight and pushed steadily upstream. An hour or so later they met the first signs of a rising river. Still they pushed ahead. Finally Wells reluctantly tied his pushboat to a riverside tree and humped up his boat to wait out the storm.

Later that day Wells saw the steamboat Sea Gull churning its way upstream, towing a lighter. Not being able to tell how long he might be forced to wait out the storm, he arranged with the Sea Gull's captain to transfer Laven's goods while he would stay with the pushboat, waiting for the storm to subside.

The Sea Gull moved up the river against the storm, pulling the lighter loaded with merchandise including the Dwale-bound box. It was getting late in the day and the Sea Gull was making slow headway. Suddenly, out of the murky atmosphere of the river, a whistle sounded from a boat downriver-bound. It was the Dr. York which hove into

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For three hours the crews fished in the river for merchandise, impeded by the rain and the rising waters. Finally, all was recovered, including Laven's box, and loaded again on the Sea Gull for its continuing journey. At night, hours later, Laven's box, soggy from its mishap in the river, was unloaded at its destination.

Laven opened the box in his store and pulled out piles of wet, faded and wrinkled merchandise. He refused to pay the Knoxville shipper. The firm sued him. Laven employed the law firm of A.J. and W.H. May, and sued the C&O. In the Floyd Circuit Court he procured a judgement for \$645.35 against the railway. The latter appealed, and Judge Settle, basing his decision on river customs, reversed the Floyd Court's judgement. Settle thought that the custom of the railway company in transshipping goods to upper Sandy merchants without authority from the consignees was well established and accepted by Laven and others.

So we know that at least one Big Sandy custom has received judicial recognition.

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FIRE, ENGULFING VALLEY'S FOREST, FOUGHT BY UNITED COMMUNITY by Henry P. Scalf (Reprinted from the Floyd County Times, November 8, 1956)

The first evidence of the big fire came one evening in late October when most of the farmers and loggers of the Buffalo, Mare, and Caney Creek watersheds were planning to retire for the night. Someone spotted a faint glow on the Buffalo ridge, emanating from the head of Clark Branch.

It had been dry for weeks. The creek beds were as parched as the much traveled roads. To drop a match or even to build a fire to boil water for the family wash was to risk a conflagration. A sudden puff of wind could whip up many small fires in the grass, in fence corners, or at the edges of the woods. Wind-borne sparks could ignite a blaze that would soon engulf fields and fences for miles.

The residents of the area who gazed at the incipient glow over the Buffalo Creek ridges in late 1914 gave little thought to either timber or game preservation. They were mainly concerned with fences encircling the hill pastures. Those long zig-zag lines of split rails kept their sheep from running wild and stray animals from besetting their crops.

Farmers went to bed that night worrying about the next day, wondering if the wind would gain strength, and calculating how long it would be before their fences would be endangered. Many got up in the night, stared at the demarcation between ridge and sky, saw that the glow was a bit higher and brighter. Few slept well that night.

Daylight came and the men went to their usual tasks, except for

those who lived on Clark Branch. Jim Henry Burchett owned several hundred acres there, almost completely surrounded by those split rail fences, many made of yellow poplar logs years ago by his father. Those rails were as "light as a feather" now and lay in beds of leaves. Burchett called on his sons and neighbors and one or two of his tenants, and with an odd assortment of rakes, pitchforks, hoes, and other farm tools they climbed the hill. They did not know it then but many would not return home, except for food and water, for several days.

They climbed the hill, Indian file, throwing the leaves from a wide swath. Slowly they worked toward the ridge. When they reached the crest they deployed right and left, chopping out dead tree branches and rolling decaying logs aside. An elderly man lagged behind the lengthening ring and fired the north side. The blaze erupted quickly, moving downhill, the burned area becoming a protective shield against "wildcat" fires behind the men ahead.

But you can "back fire a ring" only so far because, inevitably, you approach other property lines, and the blaze you set to protect yourself may destroy a neighbor's fences or his barn or other buildings. The Burchett crew stopped their procedure after a few hundred feet and began to clear out a ring toward the bottom to seal off the burning woods. Having done this, they re climbed the mountain, moved the ring east along the crest of the ridge again. Their efforts were nearing an end as they expected to quit somewhere on Buffalo, near the Boyd farm.

Suddenly, one of the lead men looked out into the smoke-filled air and stared intently toward the valley bottom. Others also stopped

their work and looked and listened. They could see a deep gray billow of smoke rising and mushrooming below them. There were faint noises from crackling wood as it burned, all coming up under them from far down the mountainside. "Great God!" a man cried out, "They've raked a ring around their fences and are firing above it. They'll burn us up!"

The slow moving action of a moment before became a fierce effort now as each man dug in at his work. The ring moved along and men, completing tasks behind, ran ahead to other tasks. Suddenly, a billow of smoke swept across the ridge, and in a moment there was heard the rush of a mighty fire that created a propelling wind as it expanded and heated the air. No one spoke and no one looked up. They raked and chopped and dug. The ring was moving faster now and in a few minutes they were far enough east of the onrushing fire to stop. When they did there was a great wall of red flame that swept up and died on the ridge.

Landowners from farther up Buffalo Creek now joined the Burchett crew, and some of the latter went home to eat and bring back food and water to the others. A man went down to the road, walked up the creek, seeking help and begging the farmers to rake a ring around their hill fences. Twilight came, and a man reappeared on the mountain with water and food. Sitting down on the ridge, leaning against giant trees, they ate. But they had no water to wash so many rubbed smoke-filled red eyes with their grimy hands.

Relief came after dark. News had spread in the bottom that the men from Clark Branch had raked a ring up the ridge to their section. Bob, Jim, John, and Beb Scalf, Golden Adkins, Ireland Thompson,

and others arrived with rakes, hoes, and axes. At midnight several of the original crew, urged by their fellows, went home. The ring reached the Nunnery Fork where the widowed Rebecca Nunnery lived. Her son Sherman joined the firefighters.

To protect the Nunnery Fork farm a ring was raked down a point to the creek. The men were thinking of going home now for the fire was practically sealed off on Lower Buffalo Creek. They climbed back to the ridge, intending to "walk the ring" to find danger spots or breakovers. Pausing to wind on the high ridge they saw a red spot in the woods farther up the creek. It grew bigger and moved out in all directions. How this fire had been ignited no one could say. Maybe it was a hunter bent on enjoying a forest blaze. Or a carelessly thrown match.

Again, they deployed in single file, stringing along the crest of the ridge. According to a quickly formed plan, they took the ring around the Nunnery farm and off to the creek again. Daylight came, then noon, and another evening. Aunt Becky Nunnery sent food and water. The men were now beyond the last fire and had passed the Paw Paw Fork.

They stopped on the high mountain to eat and rest. By then the fire had swept over to the far side of Buffalo Creek. The men sat for an hour or more. Several dozed on the hard ground; one or two talked of fox hunting, a few discussed their crops. Several wanted only to rest before starting for home.

But many of them objected to leaving the fire at that time. They were afraid that if they did the fire would move on to Mare Creek, destroying the fences of their kinsmen. They began to debate

this issue, each expressing his opinion in desultory fashion. Nothing had been decided when they saw a lantern bobbing up and down along the ridge several hundred yards away.

A half hour later the lantern bearer came into view followed by three Mare Creek residents. They joined in the argument, begging for help to take the ring further up Buffalo. The Mare Creek land-owners won. No matter how tired a man might be he couldn't resist an appeal to help save a lot of fence.

It was past midnight when they stopped again. Bob Scalf, who was to die a few years later in an Argonne wheat field, was sent to Mare Creek for water and food. The crew, now numbering at least a dozen men, fell down on beds of leaves just under the summit of Bedstead Mountain. Nearby was the evergreen-crested top of Pine Knob.

The ring stretched out west from where the men sat, snaked along the ridge crest for several miles. They argued over how long it was. Some said it was five miles. Another argued that they had raked, side rings and all, a protective path for eight hours. Finally, they quieted down and a few fell asleep. All awaited food and water.

Soon there was perfect silence as the little cluster of fire-fighters lay on the leaves. How long they lay there, with every muscle and nerve weary from the effort, no one could recall. A man yelled and they rose to their feet, groggy and leaning on their tools. All eyes turned to stare at a sudden shower of wind-borne sparks coming from the other side of Buffalo.

Thousands of sparks sank into the deep canyon-like valley but others were carried almost to the feet of the watchers. It was now a question of time till the whole mountain where they were standing

would be a blazing inferno. After quick consultation they started again to rake, talking intermittently of the absolute necessity of continuing the ring around the head of Mare Creek and through the Courtney Gap ^{to} ~~of~~ Harmons Branch. They moved out around a great flat, under the smoke-covered tops of the Pine Knob and Bedstead Mountain.

So intent were the men on their work that none saw the initial spark that fired the upper reaches of the mountain. When they looked it seemed as if there must have been some giant explosion. Flames were sweeping up the mountains, carried by the increasing wind. The men paused to watch, through the flames and smoke, the giant trees that soon toppled over. Swiftly the wall of fire moved toward the crest of the mountain, with the noise of exploding rocks like distant thunder.

It was the capricious wind that saved them from continued effort. No one can anticipate a wind's vagaries in an area ringed by mountain forest fires. It shifted, blowing almost at right angles to its former course. The fire came to a sudden stop in its mad sweep around the steep sides of the hill. Almost simultaneously with the change of wind, every man sank to the ground. Now and then a squirrel and a raccoon or two scampered by, fleeing the fire.

Down in the bottom Bob Scalf and two young boys he had recruited started the long climb up Bedstead Mountain. Each carried several food-filled buckets and jugs of water. Bob had two jugs in a sack thrown over his shoulders. He carried a bucket in his left hand and swung a lantern with his right. The two youngsters tagged along, stumbling in the path, enjoying the adventure of dark places and sudden falls.

Bob and the boys found the fire fighters curled up in grotesque positions asleep in the leaves. All grumbled when they ~~were~~ were awakened. They ate lustily, drank loudly from the jugs. The two boys scampered about on the outer edge of the group, chasing each other in the leaves. One, hearing an animal squeal, found a chipmunk seared and dying.

"You know, I think it's going to rain," said Bob, pointing at the sky.

"No such luck," someone answered.

They all stared through the trees and spotted rain clouds coming from the west.

"West winds bring rain," a man said. "Yep," and his voice rose a bit, "It's going to rain."

The clouds thickened and from the outer ring a man observed quietly: "This is one that ain't going around."

Bob Scalf sat propped against a tree, humming a tune in his deep bass.

"Sing us a song, Bob," a Buffalo neighbor urged. Others added to the request.

Bob fumbled slowly in his pocket, bringing out a tuning fork. He always carried it with him when he sang at parties and stag gatherings. He tapped the fork against a stone, listening to the vibrations. "What are you going to sing, Bob?" a man asked. There was no reply. The old singing master was listening to his fork.

Slowly, the deep bass notes of "Rock of Ages" wafted on the mountain. Many joined in a moment; others hummed the ancient tune for all knew the hymn.

The song ended, and no one spoke until the magic of the old hymn faded.

"You know what I think?" one said. "I think we are going to get wet."

They picked up their tools and prepared to leave. Bob and the two boys retrieved their buckets and jugs. The first rain drops pelted the green leaves. "You know," a man said, proudly, "nary a farmer lost a rail of fence."

"Not a rail has burned," another agreed. As he spoke, a pheasant rushed across the bench and disappeared in the darkness. "You know, though, somehow I think these big fires make the hunting bad."

There was a crash on the mountain and a billow of smoke and sparks as a tree fell. "I think, too, there's an awful lot of timber wasted," he added.

"Quit worrying about the timber," he was told. "There'll be timber when we ain't around. But I'm like you about the huntin.' There just ain't much game for a long time after a big woods fire."

The men were preparing to leave now. Some were going back along the flat to take the ridge home, while others would move cautiously in the pale light down the steep slope of Bedstead Mountain.

10-10-10

COLORFUL HISTORY AND LEGEND ABOUND IN BIG SANDY VALLEY by Henry P. Scalf (Reprinted from the Floyd County Times, December 20, 1956)

The people of the Big Sandy area may be more conscious of their early history than are people of any other section of Appalachia.

Their longtime isolation was broken half a century ago by the intrusion of the railroad. Their emergence into the twentieth century was but a step, psychologically, from the log cabin era when the settlers fought Indians and tried to tame the primitive wilderness.

Oldtimers of the Johns Creek area of Pike and Floyd Counties often refer to William Robert Leslie as "the First Man." It was Daniel Boone, they declare, who brought Leslie to Johns Creek and showed him the wide bottoms.

Leslie climbed a high ridge at the mouth of Big Brushy Creek and, looking over the pristine valley, exclaimed: "Great God, what a place to live!" The Leslie settlement is history, but legends like those about the First Man, have been perpetuated in this area for years.

On a day when the sun shines and visibility has no ceiling save the blue canopy of the sky, you can climb Old Bedstead, a 1,700 foot mountain in eastern Floyd County, and view a large section of the Big Sandy Valley. You know that north is Johns Creek with its branches--Buffalo, Caney, Big Brushy and Bent. South is the Big Sandy River, with the high knobs of Sugar Camp and Brandy Keg jutting up like rugged sentinels.

Each place name suggests a legend. Bedstead Mountain received its name when Tandy R. Stratton, having need of another bed, took

an axe and went up a little ^{valley,} At the foot of the hill that bears this name, he cut down a giant poplar, and with deft carpenter strokes he fashioned himself a bed. He slept on it for a decade, and after he died his children, recalling how it was made, preserved it in an attic.

The Bedstead Branch flows into Mare Creek, a tributary of the Big Sandy. The Strattons settled Mare Creek and, in 1821, when the dividing line between Pike and Floyd Counties was run, the family found itself in Pike. "I don't like to do business in Piketon," the clan head said, and began a fight to get back in mother Floyd. He made it twenty four years later when the General Assembly passed a special act for his benefit.

But his land didn't touch Floyd County anywhere, and although by legislative act he was no longer in Pike County, he was still surrounded by it. Oldtimers ^{have} called the 1,000 acre tract "Little Floyd County." In between Floyd and Little Floyd was a quarter mile stretch claimed by both counties. A confused judge once named it "No Man's Land." Scarcely a year goes by that Stratton descendants on their farm don't fight, legally or otherwise, to stay in Floyd County.

Buffalo Gap is a low pass in the ridge between Little Floyd and the headwaters of Buffalo Creek. Streams with such picturesque names as Big Rough, Paw Paw, Twin Branch, and White Oak Creek head in this wooded country. In the mountainside near the Broad Hollow are caves --dark holes in the rocks leading to nobody knows where. One was visited by ^{the} Rev. Robert Adams when he was a boy nearly a century ago. He pushed aside leaves and animal bones as he wiggled through the tight dark tunnels and emerged several hundred feet downstream.

No one has tried that since.

The Big Sandy is a great place to live, as the Great Man said, and especially so if you like to hear the old legends about it. Some of these may be trivial and of interest to none but the local residents. But others may intrigue everyone in the region.

There was the Wolf Creek posse which, in 1847, went after Bill Pruitt and killed him on the headwaters of Tug River.

Abner James was sentenced to hang. His brother-in-law Billy McCoy rode to Frankfort and begged Gov. William Owsley to pardon the condemned man. He secured the pardon and hurriedly rode back to Big Sandy, arriving the night before the day set for the execution. That was history.

Stories told around many a fireside embellished the account of Billy McCoy's ride from Frankfort. He is said to have killed four horses in a wild breakneck ride, arriving in Louisa on the day of the execution. He plunged through a large crowd toward the moving wagon in which Abner James rode, sitting on a rude coffin. McCoy passed the governor's pardon to the sheriff. Legend insists that James then stood up, and flapping his arms, crowed like a cock: "The jury said I'd hang; the governor says I won't." Just where history ends and legend begins no one can say, and most don't care. History has ruined many a good story.

Jenny Wiley's capture by the Indians in 1789 in Ab's Valley, Virginia, is history and legend. Historians tell of her capture and the death of five of her children and a brother at the hands of a mongrel band led by Black Wolf, the Shawnee, and of her escape to Harmon's Station, the first settlement in eastern Kentucky, midway

between the present Prestonsburg and Paintsville. The Harmons escorted Mrs. Wiley back to Virginia, but she and her husband, Thomas, returned to the Big Sandy, becoming two of Johnson County's first settlers.

Over the years she told and retold the story of her captivity and rescue to her children and neighbors. The legend grew after her death. The Auxiers, founders of Blockhouse Bottom, at East Point, often related the story of how Mrs. Wiley was led on the escape path by a bird flying along the trail. Members of the Borders family, nieces and nephews of Mrs. Wiley, added to the legends. They would tell of how, Running wildly through the forest, she wore out her mocassins. Stumbling along on frozen ground, her feet cut and bleeding, she found the still warm carcasses of a buffalo her pursuers had killed. She parted the warm flesh and stood on it until her pain went away. These are legends, unverifiable by the historians, but told and retold on the Big Sandy.

Stories like the Wiley captivity had a tremendous impact on the consciousness of pioneer families. Historic and legendary accounts of her experience have become so confusing that historians have accepted, with little credit, what is said to be known about her. In the remote sections of the Big Sandy mothers still sing their babies to sleep with the Jenny Wiley lullaby. And when they get older and start to stray from their homes children hear their mothers call in warning "Jenny Wiley, Jenny Wiley", and they hurriedly return to their homes.

As one travels up the Big Sandy, passes Pikeville, turns up Shelby Creek, and crosses over onto the headwaters of Elkhorn, he comes

to the foot of Pound Mountain. Here is Pound Gap through which passed the first settlers of the Big Sandy Valley. A great highway is being finished through this historic pass. But not long ago the road was only a wagon trail, rocky and beaten under by at least a century of traffic. Col. James A. Garfield, the Union commander in that area, fought a battle there and routed the surprised Confederates.

Picket Rock stands like a sentinel a few hundred yards from the gap. So named because Confederate commanders posted men there to watch down the Sandy road, it is better known as the site of Dr. M.B. Taylor's massacre of the Ira Mullins family. In 1892 Taylor, the Red Fox of "The Trail of the Lonesome Pine", and two associates, the Fleming brothers, hid in a jumble of rocks and fatally shot five of that family as they approached the gap. Only Jane Mullins and Ira's fourteen year old son escaped. For a while Dr. Taylor hid in the woods of Letcher, Pike, and Wise Counties while his two associates fled to West Virginia.

The authorities sent for Ed Hall, a Floyd County native, whom everyone called "The Mountain Man Hunter." When outlaws defied other peace officers, Ed Hall would be sent to bring them in. He found Dr. Taylor in a fruit tree box at the Bluefield, W.Va. express office where his son had shipped him from Norton, Virginia. [Editor's note: Actually Dr. Taylor was found in a freight car in the Bluefield railyards where he was waiting to hop another freight for Florida.] Taylor died on the scaffold but Ed Hall was sick then and did not see him die. Later Hall and two others walked six days into West Virginia to get the Fleming brothers. After killing Cal Fleming, they brought his brother, Heenon, back for trial.

Dr. Taylor, murderer and mystic, was an educated man who mixed science and sorcery to cure his mountain patients. He was a deputy United States marshal for a few years and rode the woodland trails under the towering Cumberland cliffs with his winchester and a long telescope. He was expert at tracking his adversaries as well as avoiding them. It is said that, on occasion, he would put his shoes on backwards to elude pursuers. He preached a long sermon to the crowd that had come to see him hang, saying that on the third day he would rise from his grave. Nobody admitted believing him, but just in case they left a lighted lantern on his grave for a week.

John Wright, known as Devil Judd Tolliver in John Fox's "Trail of the Lonesome Pine", lived in a big two-story log house on Elkhorn Creek, near the present Jenkins. He was host to travelers through that area who cared to accept his hospitality. A friend of Bad Talt Hall, the Beaver Creek outlaw, he had a man take Talt's body from the scaffold in Wise and return it to Kentucky for burial. Wright and Talt had feuded with "Old" Clabe Jones, the Floyd and Knott County badman. Wright and Jones, with their respective henchmen, would travel back and forth over the headwaters of Beaver, Elkhorn, and Troubleome Creeks. Both were duly deputized peace officers and fought their feud under the authority of the law with warrants for each other's arrest. But the warrants issued by different counties were never served.

The Civil War added to the legends of the Big Sandy. The battle of Ivy Mountain was fought in 1861. "Bull" Nelson, Union leader, drove the Confederates under Col. A.J. May back toward Virginia. It was a rebel debacle, but southern sympathizers would not have

it so. They composed a song, singing it in defiance of history:

"You ought to have heard them Yankees' shinbones
rattle
When at the Ivy Narrows they were stricken with
horrors."

The song was written by a mountain balladist long after the fight when few Big Sandians would admit the Confederates had lost the battle. But Anthony Hatcher and five of his fellow rebels knew it then. Hatcher had a thigh bone broken by a "Blue Brute" bullet, and his friends quickly put him on a horse and fled up Ivy Creek. Entering Mare Creek through the Sugar Camp Gap, they dropped the wounded man off at a Union home where a pre-war friendship brought care and medical attention. The other soldiers, one seriously wounded, climbed a hill on the road to Pikeville and camped on Rock Spring Mountain that night. Here is a natural spring emerging from a rock near the top of the mountain. The wounded man died that night, and as no other means of burial was convenient, his comrades crammed him into a hollow chestnut log and left in the morning. In later years the story of the burial on Rock Spring Mountain was told around many firesides.

The legends are easily recalled because the transition from pioneer days to the present was slower in the Big Sandy than in any other section of Kentucky. The Indians clung to the valley after they had surrendered the rest of Kentucky, and the isolation of the area was pronounced until late in the nineteenth century. Suddenly emerging into the twentieth century, the people of our valley looked back on their long history as if it were but yesterday.

- 5 -

Big Sandians talk of Daniel Boone as if he lived only a few years ago. The Auxiers have a buffalo robe he gave one of their ancestors when he was leaving Blockhouse Bottom. The Leslies have a powder horn he gave "the First Man." Midway up Right Beaver Creek, on a stone overlooking the hamlet of Eastern, is carved the lettering "D.B. 1775." Whether the frontiersman sat down there on an eastern Kentucky hunting trip and cut his initials has been debated by historians but not by local residents. The initials are there and Boone was there.

The mere facts of history in the Big Sandy never suffer for embellishment. Nelson Boggs of Lawrence County, a member of the 14th Kentucky Infantry, was killed at the battle of Middle Creek in 1862 while serving under Col. Garfield. This much is historic fact. But oldtimers say that, in the carnage of battle, his comrades picked up his body and hefted it into the crotch of an apple tree until the battle was over. True or not, this is a typical Big Sandy elaboration.

Another belief is that the Federals falsified their casualties list. Returning Confederates were told by their kinsmen and friends back in the valley that large numbers of the Union dead and wounded were loaded on the barges and shipped downstream to Louisa and Catlettsburg. The story served to salve the pride of the defeated troops of Confederate Gen. Humphrey Marshall.

Though many sections of Kentucky have had as much history as the Big Sandy Valley, no accounts of the events occurring elsewhere were as romantic or picturesque as ours.

Thelma Stewart
of P'burg,
Floyd Co., Ky
Student of
Leonard
Roberts,
Morehead
State U
1961.



May 25 1961

Floyd Co. Times

HE WANTED A MULE

Paul Gearheart, president of the Harold Telephone Company, contributes this week's column. It is a good "piece o' writing" and a good story. It is offered here as submitted. He entitled it, "One Against A Throng."

One evening, late in the spring of 1899, the foreman of a sawmill approached one of his teamsters with a rather unexpected enquiry: "Jim, which one of the mules is the best traveler?"

"Old Kate, I guess," came the reply, "why?"

"No particular reason, just admiring your team," the foreman complimented.

After a few minutes it dawned on the teamster what was being planned.

The foreman was a big grizzled mountaineer named Buckley, who was a henchman and sawmill overseer for Devil Anse Hatfield, undisputed leader of the feuding Hatfield clan of Island Creek, West Virginia.

Buckley's trademark was a wide gun-belt glistening with small reflectors and shiny cartridges, bagging down on the right side from the weight of a heavy revolver. He always wore leather riding leggings and carried a Long Tom rifle across his shoulder when he walked, and used it to lean on when he stood.

It was generally understood that the feud with the McCoy family, who lived in Pike county, had ended nine years earlier. But the Hatfields had kept a constant vigil, lest a new outbreak should catch them off guard.

The dividing line between the two feuding clans was the Tug Fork of Big Sandy River. Twenty miles to the northeast lay Island Creek, the home of Devil Anse's adherents. The McCoy's lived south of the river in Pike county, Kentucky.

Over the years it had been a weekly task for a Hatfield sentry to make the long trip to Matewan on the Tug Fork to get the news of any maneuver of the enemy.

The round-trip usually required a full night's hard ride, an almost unbearable task for a work animal.

James Roberts had brought the fine team, his young wife and their 13-month-old daughter from Floyd county, Ky., to seek employment in the sawmill industry which was then thriving on Island Creek. He prized his work animals highly, and was rather reluctant to have a member of the clan steal one of his mules for making the long journey to Matewan.

After work was finished for the day, Roberts went home with a troubled mind. He told his wife of the incident at the mill and together they planned their strategy in the event the suspicion materialized.

The Roberts family occupied a small two room log house on Cob Fork, about a mile from the mill. The tramroad ran close by the hut and on into the virgin timber.

The mules were kept in a little barn, about 100 yards down the branch and about 200 feet to the right of the tramroad.

At dusk Jim took his .38 caliber pistol, for which he had only one cartridge, and went to the barn where he had planned to lie and wait. Climbing into the corn crib, he gathered a bed of shucks under him and lay still. The muffled snort and shift of the mules behind him and the occasional report from an owl on the hillside prevented complete silence.

Fields

Hardly an hour had passed when he heard faint footsteps coming up the tramroad. Very shortly whispering voices became audible. Maybe it was someone coming to visit his home, he hoped.

His hopes vanished quickly when two shadowy forms turned off the tramroad and headed straight for the barn. Roberts' heart leaped within him when he recognized the approaching voices as that of Buckley and Devil Anse. He leveled his revolver through a crack in the crib, hoping to get the two men in position, one behind the other. This was the only chance of getting both men with his only shot. As fate would have it, the two men remained separated.

When the visitors reached the crib door, the young watchman lurched forward and shouted, "Throw your hands up, boys," an order readily obeyed by the surprised intruders.

Jim talked fast and nervously. "Somebody's been stealing my corn and I've been watching it," he said.

"Is that so?" Devil Anse was quick to inquire. "Buckley and me was down at the mill and thought we'd come up and spend the night with you," Hatfield added.

Eager to smooth out a rather embarrassing and probably a dangerous situation, Roberts welcomed the two men to spend the night at his home.

The Spanish American War had stimulated business generally all over the country. Island Creek's lumber industry flourished. The coming of the railroad to the Guyan River valley provided an outlet for the rough lumber produced here.

The conversation casually shifted to the war and the general economy as Roberts and his guests went to the house and prepared to retire. A bed was made ready for Buckley and Hatfield in one room while Jim, his wife and young child occupied the other. Buckley carefully placed his rifle and revolver within easy reach from his bed. Even though the host did not sleep any at all, the night passed without incident.

A few nights later, while the Roberts family was preparing for bed, a loud thump in the back door echoed through the house, immediately followed by a loud whoopee. In a flash hoofbeats rushing by the house carried the interloper swiftly away.

Fearing that he was only one against a multitude, the young Kentuckian's mind reflected on the massacre of the McCoy family which occurred a few years before, and only a few miles away. Reason taught him that to stand against such odds was not courage but suicide.

Early the following morning he piled all his belongings on his shakily buckboard and headed south toward his native Floyd county.

HISTORICAL NOTES

Historic-sounding gap road was pioneer route to the west

by Henry P. Scalf
(Reprinted from the Floyd County Times, June 13, 1963.)

The old road connecting Virginia and the west by way of the Big Sandy Valley is gone now, except for bits of wagon trail that have survived here and there, at the back of bottoms or around hill-sides.

Between Ivel and Tram, on the north side of the river and above U.S. Highway 23, a short segment begins at a field fence and ends a few hundred feet south in a yard at the top of a low hill. For the last 60 years or so, its only travelers have been leaves, twigs, and rolling stones.

From the top of the hill, where the short stretch of ancient road ends in a yard, you can see the village of Tram and the white houses in the river bottoms.

Down under the promitory are the remains of the old log house that domiciled the domestic slaves of Colonel Harry Stratton, one of the founders of Floyd County and an early justice of the peace. Water birches grow in a dump where his own house once stood and where, in 1796, the region's first Methodist Sunday School class was held.

Eight years after Col. Harry built the house, the Virginia Road was authorized. The old pioneers who had come from Virginia to Kentucky wanted a road back east over which they could drive their herds of hogs and cattle to market. The lawmakers of Frankfort authorized it in 1802. It began at Mt. Sterling and ended at Pound Gap, which was then called Sounding Gap.

There it connected with a road leading to Richmond. By most settlers it was called the Virginia Road, by others the Sounding Gap Road. Later it came to be known as the Mt. Sterling-Pound Gap Road.

At first it was not really a road, only a path beaten out by the bison, the Indians, and the first white immigrants. It followed ridges and streams, and the first attempts to negotiate it with ox-drawn wagons were foolhardy adventures inviting disaster. Many are the traditions of broken axles that forced some of the founding families to settle in Eastern Kentucky when they had originally planned to reach the Blue Grass.

After that first legislative notice in 1802, the lawmakers neglected or forgot the road for 18 years. Then, in 1817, when Alexander Lackey of Prestonsburg was a member of the Kentucky House of Representatives, a bill was passed to open a road from Mt. Sterling via Prestonsburg to the Kentucky-Virginia line. Lackey was named

one of the three commissioners to establish it. For many years this road was the subject of several legislative acts and many Floyd County court orders.

In the period from 1836 to 1847, the legislature was especially generous when it came to Eastern Kentucky roads. Between Owingsville and the Big Sandy River the lawmakers spent \$168,783.83. Between Mt. Sterling and the Virginia line they authorized the expenditure of \$23,243.40.

However, recognizing that the section between Picketon and Sounding Gap covered atrocious terrain, they allocated an additional sum of \$6,324.00 for it. These improvements did little more than make the road passable for most of the year.

Before and after the road was improved, it was a highway for immigrants. They emerged through Pound Gap, traveled down Shelby Creek, and followed the river north and west, the covered wagons rolling and swaying with the slow movement of the oxen that drew the families and their possessions west.

Scores of the migrating families stopped at Col. Harry's and stayed the night. It was a house of good cheer and commodious enough for company.

When the road was built, Floyd County was a wilderness empire, broken here and there by pioneer cabins. The town of Prestonsburg, then a log cabin hamlet of less than a dozen souls, was the only town between Abingdon, Virginia and Washington, the county seat of Mason County, Kentucky.

Floyd County began at Pound Gap and extended west to Blackwater Creek in present-day Morgan County. Its northern boundary was the Tug River, and on the south it bordered the North Fork of the Kentucky River.

The year that the road was built, the legislature carved Clay County out of Floyd, because its inhabitants were complaining about the hundred and fifty miles of rough trail they had to ride to reach their county seat at Prestonsburg.

Col. Harry would sit on a bench in his huge living room tending the fire in his fireplace and listening to the immigrants as they talked about going west.

The Territory of Ohio had just achieved statehood and the town of Chillicothe was the new state capital. A few score miles from Chillicothe was the Wabash River, and across it were the vast, rolling grasslands of Indiana. Further west was a virgin grassland known as Illinois.

Many were the nights that Col. Harry had for company old Spencer Adkins, whose home was

at present-day Millard in Pike County. The two were fast friends and had hunted and explored the valley in the days when the creeks had no names. Years later, when litigation over land titles arose,

Stratton and Adkins often served as witnesses in court. Universally referred to as the Old Hunters, they told of finding streams that had

(See Notes, page seven)

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BOONE MAY HAVE CARVED HIS INITIALS IN YEAR 1775 ON A GOOSE CREEK ROCK by Henry P. Scalf (Reprinted from the Floyd County Times, date unknown)

Near the Osborne High Rocks on the S.C. Allen farm on Goose Creek, a branch of Right Beaver, is a jumbled pile of flat rocks. For anyone coming around the big bench and seeking a place to sit and view the countryside, no more inviting place can be found than a large sandstone with a table-like top. From atop this stone one can see the sweep of the valley below, and by looking back he can view the Turkey Creek gap silhouetted, notch-like, against the sky.

The stone is inscribed with the legend "D.B. 1775." This may resemble similar sets of initials known to have been carved by Daniel Boone on trees, gunlocks, and other stones.

Some oldtimers say the Goose Creek carving has been there for decades, and may even go back to when the valley was first settled. Others are frankly skeptical, thinking that some jokester did the carving, laughing as he did (as hill people often say) "out of the side of his mouth." Whether the carving is authentic or not, it has been subject to considerable discussion for a long time.

Mr Allen, the landowner, has no opinion about the carving's authenticity. It was there when he was a boy. He got interested in the stone when his sister Rosalie, the wife of Judge William Pharmer Leslie of Texas, on a visit here, made a fascimile of the carving, took it to Harrodsburg and compared it with some known Boone initials. She came away convinced that the Goose Creek initials are genuine.

We know that Boone was in Kentucky in the winter of 1767-8. He and William Hill passed through Pound Gap, followed Elkhorn Creek through Shelby Gap, and proceeded down Shelby Creek to the Big Sandy River. They descended that stream to the mouth of Middle Creek, and went up the latter, following bison and deer tracks to a salt lick at the present David. Upon their arrival a great snow fell and they were forced to camp through the winter by the spring, shooting the deer and bison that came to the lick. The bison were the first they ever saw.

But we can only conjecture whether Boone returned to this section of Kentucky in 1775. In late 1774 he is known to have been at Capt. John Blackmore's Fort on the Clinch River, standing guard against the Indians. And we know that, in January of 1775, he had entered Kentucky for, according to the Draper Manuscripts in the Wisconsin Historical Society, he was camped with a party on the Kentucky River. Boone then had the habit of wandering off by himself on hunting trips and thus might have left his Kentucky River friends and headed north, entering Beaver Creek. Or he could have visited Beaver Creek on some lone journey from Fort Blackmore either before or just after his Kentucky River trip. We only know for sure that he had entered Kentucky in January 1775.

If, in early 1775, Boone had traveled cross-country from Pound Gap to the salt lick that he and Hill had visited eight years before. he could have descended Shelby Creek and gone up either Indian Creek or Robinson Creek. If he had ascended Indian Creek he would have come onto Left Beaver near Abner Fork. If he followed Robinson Creek he would have come out near the head of Big Mud Creek, thence through

the gap to Left Beaver. He would then have descended Left Beaver for a distance and crossed the dividing ridge to the Goose Creek area. Perhaps so. Perhaps he sat down on a big flat rock and carved his initials for posterity. He often did that.

But Dr. J.H. Allen, who was reared on the Goose Creek farm where the initials are found, is skeptical. He doesn't believe the initials are Boone's. He is sure that when he first saw the initials they had a "fresh look." He thinks they may have been carved as a practical joke by Van Martin when he was out squirrel hunting, for Martin was not above such a practical joke.

The only thing we can conclude about the alleged Boone carving is that its authenticity is as yet undetermined.

BOONE MAY HAVE CARVED HIS INITIALS IN YEAR 1775 ON A GOOSE CREEK ROCK by Henry P. Scalf (Reprinted from the Floyd County Times, date unknown)

Near the Osborne High Rocks on the S.C. Allen farm on Goose Creek, a branch of Right Beaver, is a jumbled pile of flat rocks. For anyone coming around the big bench and seeking a place to sit and view the countryside, no more inviting place can be found than a large sandstone with a table-like top. From atop this stone one can see the sweep of the valley below, and by looking back he can view the Turkey Creek gap silhouetted, notch-like, against the sky.

The stone is inscribed with the legend "D.B. 1775." This may resemble similar sets of initials known to have been carved by Daniel Boone on trees, gunlocks, and other stones.

Some oldtimers say the Goose Creek carving has been there for decades, and may even go back to when the valley was first settled. Others are frankly skeptical, thinking that some jokester did the carving, laughing as he did (as hill people often say) "out of the side of his mouth." Whether the carving is authentic or not, it has been subject to considerable discussion for a long time.

Mr Allen, the landowner, has no opinion about the carving's authenticity. It was there when he was a boy. He got interested in the stone when his sister Rosalie, the wife of Judge William Pharmer Leslie of Texas, on a visit here, made a fascimile of the carving, took it to Harrodsburg and compared it with some known Boone initials. She came away convinced that the Goose Creek initials are genuine.

We know that Boone was in Kentucky in the winter of 1767-8. He and William Hill passed through Pound Gap, followed Elkhorn Creek through Shelby Gap, and proceeded down Shelby Creek to the Big Sandy River. They descended that stream to the mouth of Middle Creek, and went up the latter, following bison and deer tracks to a salt lick at the present David. Upon their arrival a great snow fell and they were forced to camp through the winter by the spring, shooting the deer and bison that came to the lick. The bison were the first they ever saw.

But we can only conjecture whether Boone returned to this section of Kentucky in 1775. In late 1774 he is known to have been at Capt. John Blackmore's Fort on the Clinch River, standing guard against the Indians. And we know that, in January of 1775, he had entered Kentucky for, according to the Draper Manuscripts in the Wisconsin Historical Society, he was camped with a party on the Kentucky River. Boone then had the habit of wandering off by himself on hunting trips and thus might have left his Kentucky River friends and headed north, entering Beaver Creek. Or he could have visited Beaver Creek on some lone journey from Fort Blackmore either before or just after his Kentucky River trip. We only know for sure that he had entered Kentucky in January 1775.

If, in early 1775, Boone had traveled cross-country from Pound Gap to the salt lick that he and Hill had visited eight years before. he could have descended Shelby Creek and gone up either Indian Creek or Robinson Creek. If he had ascended Indian Creek he would have come onto Left Beaver near Abner Fork. If he followed Robinson Creek he would have come out near the head of Big Mud Creek, thence through

the gap to Left Beaver. He would then have descended Left Beaver for a distance and crossed the dividing ridge to the Goose Creek area. Perhaps so. Perhaps he sat down on a big flat rock and carved his initials for posterity. He often did that.

But Dr. J.H. Allen, who was reared on the Goose Creek farm where the initials are found, is skeptical. He doesn't believe the initials are Boone's. He is sure that when he first saw the initials they had a "fresh look." He thinks they may have been carved as a practical joke by Van Martin when he was out squirrel hunting, for Martin was not above such a practical joke.

The only thing we can conclude about the alleged Boone carving is that its authenticity is as yet undetermined.

BOOKS OF FLOYD SETTLERS WERE RARE AND TREASURED

The commissioners, who, headed by Harry Stratton, settled in 1839 the estate of John Sellards, a brother of Jenny Wiley, meticulously wrote for the court record every item of value in the Sellards personal estate. In the old goose-quill penmanship of the period was listed "I Book . . . \$1.00". The record does not say but it was evidently a Bible and was the only one possessed by the old pioneer when he died.

In homes all over the Big Sandy section the early settlers possessed only the one book. Treasured beyond all other items, The Book became the repository of birth, marriage and death dates, for where else should sacred events be recorded except in the Sacred Book?

The oldest Bible in existence in Floyd county is the Stratton Bible. Solomon Hunter Stratton bought it from a subscription agent in 1825. The genealogical data written into it by the Stratton hand is a valuable record for those who search for dates of birth and death. In 1826 Jacob Mayo bought a similar Bible except, unlike the Stratton book, it did not contain the Apocrypha. Into the blanks reserved for records the competent Mayo hand wrote his family record. The old book is now in the possession of Mrs. Lucille Mayo Herndon, a descendant.

In 1832 The American Tract Society published one of Jonathan Edwards' treatises on the religious affections. A copy was purchased by a member of the Stratton family and lay on the table next to the Sacred Word until 1869 when the owner died. A son came into possession of the old book and kept it, with a few other books he had been able to purchase, until he died in 1904. Today his descendants treasure the volume because of its rareness and age. The original owners valued it because books of any kind were rare in Eastern Kentucky.

Some of the early settlers brought book into Big Sandy from Virginia and North Carolina. A few of these early books were handmade. William James Mayo, a scholar of the early days, made with his own hands arithmetic books for school use and self-instruction. One example of the Mayo craftsmanship, made by him in 1769 when he was 16 years of age in Patrick county, Virginia, is still extant. When he was a householder in Floyd county he used the volume for the instruction of his own children, as there were no public schools.

Joseph Bevins came from Ireland to America in 1774. After Revolutionary service he moved westward into the hills of Eastern Kentucky, settling on Johns Creek. In his trunks, carried over the mountains, were a few books, chiefly volumes of instruction and practical use. Constant perusal by descendants of the first Bevins wore the backs away. They were rebound in deer-skin.

Textbooks were so rare in the early schools of Big Sandy that the Bible was in universal use as a reader. Gradually some of the old texts that oldsters look back upon with fond memories, like Webster's Speller, commonly called the Blue Back Speller, McGuffey's Readers and Ray's arithmetics, found a gradually increasing use. There were no free textbooks in those days and the scarcity of money on the mountain farms limited wide ownership.

In this day of many, many books, it is difficult for Eastern Kentuckians to appreciate the value the early settler placed upon his few books. This value, reflected in great care through the decades, was because of the rarity of books.

Today books are not rare but distribution is limited. This limited distribution the Bookmobile will eliminate.

TWO FROM COUNTY BRAVED GUNS TO VOTE FOR "ABE"



LINDSAY LAYNE



Two men voted for Abraham Lincoln for president in 1860 at Laynesville precinct, in this county. They voted for him in the presence of grim-faced men who sat with shotguns across their laps and threatened to shoot the first man who called his vote for Old Abe.

The two voters were Lindsay Layne and his son, Moses Santford Layne.

Abraham Lincoln was so unpopular in Kentucky in 1860 that he polled only 1,366 votes in the entire state. The Democratic party, the predominant one, had split wide open on the question of the day, and after the nomi-

nation of Stephen A. Douglas by the party at Baltimore the preceding summer, dissidents of the party of Jefferson had met in the same city in May and nominated John Bell of Tennessee for president and Edward Everett of Massachusetts for vice-president. The Bell group took the name Constitutional Union party and carried Kentucky by a substantial majority.

Floyd county was a thin cauldron of political division in 1860. In the Laynesville precinct lived adherents of the north and south. James S. Layne, father of Lindsay, was a slaveholder but

his son had refused to own any human chattels. Lindsay, who was afterwards a lieutenant and quartermaster of the 39th Ky. Mounted Infantry, and who still later was county judge, lived at the mouth of the Coldwater Branch. His son Moses was now full grown but unmarried and at home. Here in the vicinity of the present Harold lived several families of Confederate sympathies—Hatchers, Meades and others. Union sympathizers were going to vote for Bell and Everett. Men, who were inclined to vote for honest Abraham Lincoln, and voting was open by calling out your name and the candidate's name, faced censure and threats.

Election morning, and word was passed around that men with shotguns would enforce the ban on Lincoln votes. It was an hour of grave consideration for Lindsay Layne but he decided to go and cast his vote as he had planned. Moses, his son, wanted to do the same and there was considerable discussion, with the son receiving a paternal order to stay at home. Lindsay trudged alone up the river road to the polls.

Around the voting place was assembled a group of men. Some sat with shotguns in their hands, awaiting Lincoln voters. Lindsay must have waited sometime before he voted, since we know he had left home alone but when he pushed in to cry out his vote, Moses was behind him. "Mark one down for old Abe," called out Lindsay. "Just mark down another one," was cried over his shoulder by Moses. The clerk wrote the two votes down, the only two Lincoln received in the Laynesville precinct.

Having voted, father and son turned away and started home. Not a word was spoken by the crowd, not a gun was lifted to fire. Men everywhere have recognized and respected courage.

Moses "Saint" Layne was married, the following month and lived for years at the mouth of Tom's Creek near the present Ivel. He lived to a great age, dying in the late 1920's. One of the proudest moments of his life, he was wont to recall for his children, was when he stood behind his father and in the face of guns voted for Abraham Lincoln.

Spurlock Looks Back at 90 On Memories of Varied Life

Today, vigorous and alert, despite the weight of many years, B. M. Spurlock, of West Prestonsburg, looks back on life with many remembrances. Although he is still serving as chairman of the board of directors of the bank he helped found, he lives semi-retired after long years as a school teacher, merchant, steamboat man, and banker. He studied to become a doctor, he says with a smile, but was turned aside in his first days of practise by a maternity case.

His long versatile career adds up to nine decades of life. He was born on Spurlock Creek, a tributary of Left Beaver, near the present Printer, October 2, 1864. His parents were Hiram Kenas Spurlock and Elizabeth Martin Spurlock. Hiram's father was a son of another Hiram Spurlock, who in turn was a son of John Spurlock, the pioneer settler and founder of Prestonsburg. The first Spurlock built a house in 1791 just back of where Mrs. Jo M. Davidson now resides on Court street. B. M. Spurlock remembers logs, parts of the walls and other relics of the pioneer Spurlock's house after it was torn down. To be living in 1955 and a great-grandson of a pioneer who came here before the Indians were subdued is a distinction longevity has conferred, it is thought, upon no other living Floyd countian.



—Polaroid 1-Minute Photo by The Times
B. M. Spurlock, 90, and Julia Langley Spurlock, 86, at their home in West Prestonsburg.

Although Beriah Magoffin had been forced, because of his Southern sympathies to resign the governorship of the state two years before B. M. Spurlock was born, his parents bestowed the name of the ex-governor upon him. Perhaps due to the dearth of reliable news incident to the turmoil of Civil War, they thought he was still governor. He went to school at a place called Halbert Hill on the main creek above the mouth of Spurlock. Soon, in the quest of the few additional educational advantages Prestonsburg offered, he came here.

Prestonsburg had no paved streets then, not even a concrete sidewalk. A few places had board walks. Mr. Spurlock talks about stores and hotels that are only strange and unfamiliar names to us now. "Daddy" Steele had a hotel here. John Layne had a hotel near where the First National Bank stands. John C. Johns had a store near the site of the present Bank Josephine.

He likes to talk about Prestonsburg, decades ago. Dr. Gardner, who married Belle Callihan, bought

out the Johns store. Ralph Booten was a blacksmith-lawyer, ran a shop, built wagons and practised law. Isaac Richmond established a store in 1869. He remembers P. D. Harmon, manager here of the chain store owned by his Baltimore family; remembers that Harmon sold him, a green country lad, a coat with a twisted lining.

Young Spurlock began teaching at Simpson Branch. He taught three months for \$66. That meager pay didn't discourage him, for he con-

husband in desperate need to fetch a doctor for his wife, came for Beriah. "I bucked on that kind of a case," he said. Tan Allen went in his stead and Spurlock dropped out of the medical profession.

He got together a little money, put in a store at the mouth of Spurlock, taught school at the same time, letting a clerk run the business while he was teaching. Drs. Walk and Ed Stumbo were his pupils. He recalls how Walk got his first book. The boy came to the store before going on to the

John W. Langley. Born Dec. 10, 1868, she is 86 years of age. She met Mr. Spurlock at a subscription school Will Langley, her brother, had started at Katy Friend Branch, on Middle Creek, near here.

They were not married right soon. Julia Langley wanted an education herself and, having met the necessary requirements, she began to teach on Spurlock Fork of Middle Creek. She recalls her teaching career, little human interest matters that are dear to her. She rode horseback to Abbott Creek one time to see about a school there. When

from Beaver Creek to Spurlock to see his daughter Susan Click Langley, and on his return to Beaver Creek as he neared his home, the horse threw him. He lived 15 days, dying March 1, 1898, five months

after Julia, his granddaughter, was married. Tradition in the family, repeated by Mrs. Spurlock, is that the parents of James Click lived to be much older than that. James Click's father lived to be 120 and his mother to 115.

The circumstances of Beriah Spurlock's first store venture at West Prestonsburg is related by him. One Sunday he walked across from Prestonsburg to visit a cousin, W. Y. Harris, who had a store. He helped some as a clerk that day, continued to help a great deal. Finally he took charge of it altogether for Harris. A newly-elected sheriff asked Harris to go his bond, which he did. The sheriff failed and Harris was a ruined man. Creditors descended upon his property and, since the sheriff could not preside at a sale selling his own property, a creditor bid it in.

Before the purchaser left the ground he learned that Spurlock was interested in buying the store. He approached the Floyd countian, said, "Do you want this store?" He said he did, but indicated that he had no money. "He sold me that store without any money or even a note," Mr. Spurlock likes to recall. He paid the debt off and ran the business for years.

The store was robbed nine times. These robberies were getting serious and after the eighth he procured some bloodhounds, tracked the criminals down. The next time it was robbed, the burglars turned arsonists and burned it. That was in 1913.

But the year the store burned railway trains were running up the Big Sandy. Before that Beriah had worked on steamboats. He was clerk on the Fair Play, from Catlettsburg to Pikeville. At other times he served in other river trade capacities. He was manager of a push boat run from Richardson to Huffman warehouse, above Pikeville.

Mr. Spurlock remembers the first steamboat he saw. It was the Jerry Osborn. Others he remembers vividly were the Favorite, Cando, Tom Spurlock, Mary L. Hatcher and Andy

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Young Spurlock began teaching at Simpson Branch. He taught three months for \$66. That meager pay didn't discourage him, for he continued in the profession; taught the next year at Halbert Hill where he was first initiated into the mysteries of education, followed that with a year on Spurlock. He came to Prestonsburg again, got hold of a textbook on medicine, began to peruse it. After studying sometime, he came within Dr. Gardner's notice. Gardner sent him his first patient. "Dave Allen's wife had a 'rising' on her breast, Gardner was sent for but couldn't go. He sent his lancet, said, "get Beriah to do it."

The maternity case that thwarted a medical career came up right after he incised the woman's breast. Another man, Tan Allen, was studying the same medical text as Spurlock. "One of us knew as much as the other," Mr. Spurlock recalls, "and that was nothing." He emphasized the word, "nothing." A

—Polaroid 1-Minute Photo by The Times
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The store venture at the mouth of Spurlock didn't last long because Spurlock was looking for more education. He came back to Prestonsburg again, sat in a schoolroom presided over by Albert Stephens. Assisting in the school was a Prof. Hayes, of Hancock county, Ky. "Hayes was a lazy sort of fellow and asked me to hear classes recite for him. I became a sort of assistant teacher," he recalls.

It was about this time that he met the future Mrs. Spurlock. She was Julia Langley, daughter of the Rev. Joseph and Susan Click Langley, and, as most Floyd countians know, a sister of Congressman

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Beriah and Julia were married. September 9, 1897. That was 58 years ago. Both are aged now; Mr. Spurlock is four years older. But if both were to look forward to the great ages of her ancestors, they would be blessed with great age indeed. James Click, her grandfather, lived to be 107. He was born Dec. 20, 1790, at King's Salt Works in Virginia, came to Kentucky in "the year one," as he designated the date of 1801. He traveled horseback

cended upon his property and, since the sheriff could not preside at a sale selling his own property, a creditor bid it in.

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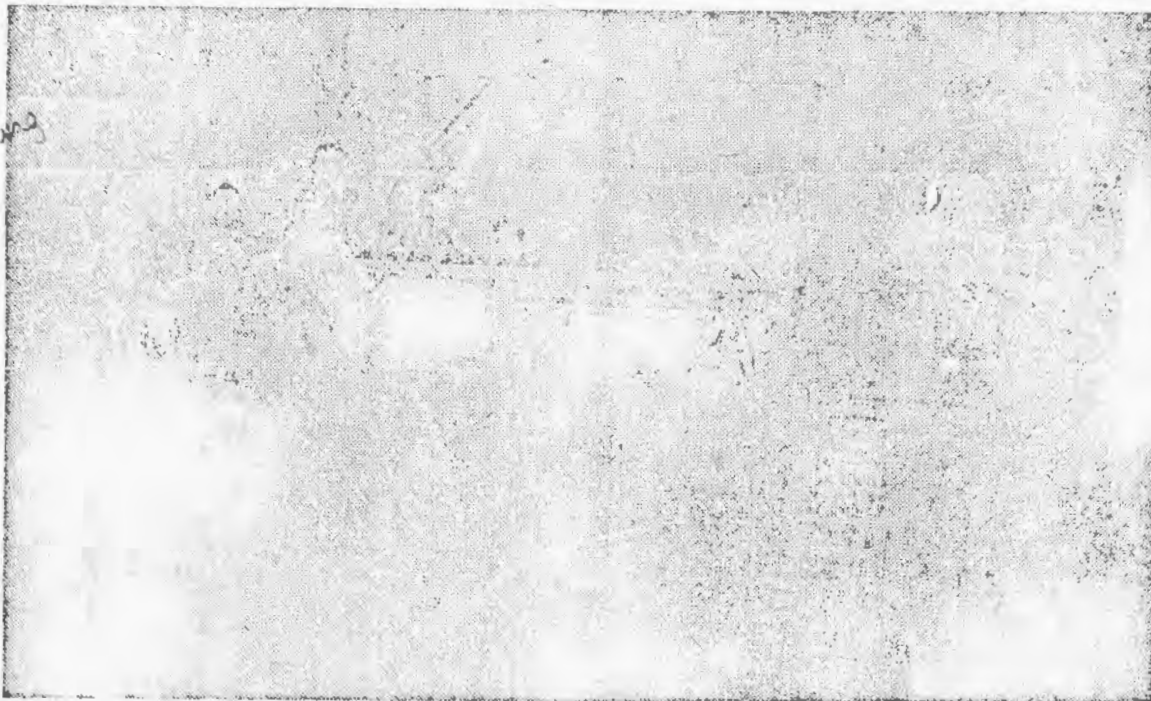
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Mr. Spurlock remembers the first steamboat he saw. It was the Jerry Osborn. Others he remembers vividly were the Favorite, Cando, Tom Spurlock, Mary L. Hatcher and Andy Hatcher. He managed a warehouse and operated a wharf boat for years. He was required to ride into adjoining counties and collect freight charges from some consignee. While doing this he took orders for the Catlettsburg wholesale houses, from as far away as Hindman and Salyersville. His first banking business was done with the Catlettsburg National Bank in order to clear large checks received by freight.

At one time he was in business with his brother, D. W. (Wheeler) Spurlock, in a retail establishment at West Prestonsburg. D. W. sold out his half-interest to Beriah, bought a farm in Ohio. He came back, dissatisfied, bought not only his half but Beriah's part, too.

SCREAMS OF CONDEMNED FEUDIST HORRIFIED ONLOOKERS AT HANGING



Ellison Mounts, second man from the left with hat over his face, on the scaffold at Pikeville, where he was hanged, Feb. 18, 1890, for the murder of Allifair McCoy. Identified, besides Mounts, are Pike County Sheriff W. H. Maynard, extreme right. Kneeling, next to him, is Rev. E. W. Grover praying for the condemned man.

By HENRY P. SCALF

Many men have gone to their death by hanging with a hymn or a prayer on their lips. Others, tight-lipped and benumbed by the horror of approaching death, have died with few words.

Ellison "Cotton Top" Mounts did neither. As the black cowl was being adjusted over his face and until the jerk of the rope shut off his words, he screamed, again and again: "The Hatfields made me do it."

Crowds, too, react differently. The people sang and prayed with Bad Tom Smith, of Breathitt county, who was hanged at Jackson in 1895. The people stood mute and unmoving as Bad Talt Hall died at Wise, Virginia, three years earlier. At Pikeville, however, when the hempen rope choked out the last cries of Cotton Top Mounts the people roared in unison. Scores, men and women, fainted. The screams ceased, died only when the doctor spun the spinning body to see if the Hatfield henchman was dead.

Mounts was partly right. The Hatfields coerced him to go along with them, New Year's Day, 1868, to burn the Randolph McCoy home on Blackberry Creek and massacre the family. They hadn't pulled the trigger, though, that fired the bullet into Allifair McCoy, a crippled daughter of the clan chieftain. It was Mounts who shot her down as she stood in the doorway.

It was said that Mounts "didn't know much," that he was illiterate and a pawn in the hands of the Hatfields. The blonde, bumbling yokel was a relative of Devil Anse Hatfield but his exact spot in the family tree was never determined. The Hatfield clan never failed to mention the ties of consanguinity when he was asked to go on a raid or ambush a McCoy adherent. Mounts noticed, too, that when they wanted him and called him kinsman they usually had their hands on guns.

Association of Mounts with his kinsmen in their war with the McCoy's had put a price on his head before he took part in the raid on Blackberry Creek and he found it expedient to stay on the West Virginia side of the Tug Fork of Big Sandy.

Mostly he stayed near his mother's home, "piddled and puttered" about the place. Here the Hatfields always found him when he was needed and it was from here he watched for Frank Phillips, the Pike county deputy sheriff who was making life miserable for the Hatfield clan.

Phillips had a habit of dashing across the Tug into West Virginia with a posse of officers at unpredictable times, seizing and carrying away Hatfield adherents wanted at Pikeville. Late in 1887 the Pike officer went after, of all people, a McCoy. Selkirk McCoy had at first been aligned on the side of his kinsmen but, having married a Hatfield girl, he changed sides. He had rendered service to his people at court when the two clans fought over the ownership of a hog but, married he dropped his allegiance and was with the Hatfields when three McCoy's were murdered at a sinkhole on the Kentucky side of Tug. For his participation in this he was indicted. Phillips went after him.

*Thelma Stewart Floyd
Co., Ky.
one of Leonard Roberts' students,
Morehead State,
5-2-4,
1961.*

MR. Scalf sent me this clipping from Floyd County Times - I don't know date of paper - fairly recent issue, I think.

Expensive (Floyd)

It is said that the Hatfields feared only two men—Jim McCoy and Frank Phillips. Devil Anse himself spoke admiringly of the "nerve" of Jim McCoy and saved him from death on one occasion when his clan held McCoy captive. For Frank Phillips their actions spoke louder than words. Unless the Hatfields were traveling in a body or surreptitiously alone in the woods they steered clear of the Kentucky side. At home armed guards watched the mountain trails for a Phillips-led posse.

The capture of Selkirk McCoy put the Hatfields to thinking. Unless they ended the vendetta by eliminating Randolph McCoy and his family there would be a continuance of the struggle, with Phillips picking them up one by one in sudden raids across the border. Out of their thinking evolved murder and fire, of a kind that shocked a nation and caused a distinguished judge of the Kentucky Court of Appeals to

say that you had to go back to the annals of "savagery" to find a counterpart in crime.

Devil Anse and his henchman decided to kill Randolph McCoy and all his family. To do this there was a calling of the clan. Johnse Hatfield, son of the chieftain, and Tom "Guerrilla" Chambers went out to round up their kinsmen. One of those enlisted was "Cotton Top" Mounts.

They found Mounts at home on the Guyandotte River, putting shingles on the house. At first he demurred to joining the proposed venture but Johnse reminded him that there was a reward of \$500 on

(Continued from Page One)

his head and Phillips could get him next. Mounts succumbed to the arguments and went along. At Devil Anse's home on Island Creek where he met his comrades in crime. To go out that night and murder the McCoy's the Hatfield leader named his sons, Cap, Johnse and Bob. To participate also were Elliott Hatfield, Chambers, Mounts, Charles Gillespie and French Ellis. Anse pleaded illness as an excuse not to go but put Jim Vance in charge. Vance gave his men a briefing, threatened he "would kill any man that went back on him that night if powder would burn."

They went by a devious trail, emerged on Blackberry Creek near midnight. Approaching the home of Randolph McCoy, they put on masks. Vance again gave a "pep" talk, reminded them that if the family was wiped out no witnesses would remain of former deeds, and that a leader with a will to carry on for the McCoy's would be dead.

Surrounding the room, each assumed a strategic place to watch doors. Jim Vance stayed out in front of the house and called loudly for surrender. Johnse fired at the frontdoor. He was answered by the gun of Calvin McCoy from an upstairs window. Johnse yelled with pain, a bullet in his shoulder. The battle, planned by the Hatfields to end a war, lasted perhaps half an hour.

Jim Vance tried to fire the house by flinging a match into cotton hanging on the outside of the house. He failed. Tom Chambers then climbed upon the house, tore loose a shingle and stuck a burning pine stick through the hole. Calvin McCoy shot three fingers off and Chambers rolled off the house and ran.

The burning piece of pine fell at the side of the house, a threat to its destruction. Calvin called to his sister Allifair to pour water on it. Opening the door, she emptied a bucket of water in the direction of the fire but in her excitement the aim was inaccurate. There being no more water, she tried again with a churn of milk. This, too, failed. Seeing that the house must now burn, Allifair opened the kitchen door and stared at the masked faces.

"Cap Hatfield, you're out there. I know your voice," she said.

Some one shouted, "Damn her, kill that girl." "Cotton Top" Mounts raised his rifle, shot her dead in the doorway. Her sisters, Josephine and Addie, dragged her body inside.

At a cry that Allifair was killed, Sarah McCoy, wife of the McCoy leader, ran from the house. Jim Vance knocked her down with his rifle butt. Johnse, seeing she was not dead, struck her over the head with a revolver. She lay there awhile, but finally began to crawl away while the Hatfields were seeking to kill Calvin and Randolph as they fled the house.

Randolph made it to the woods but Calvin didn't. A fusillade of shots brought him down near the corner. The two other girls also succeeded in making their escape, and, watching from the woods, they saw the Hatfields ride away. They returned to the house and dragged Allifair's body out of the burning house.

Several hours later old Randolph McCoy, shivering with cold and the agony of great tragedy, stumbled down a path toward the charred remains of his house. He found the bodies of Calvin and Allifair. He saw they were dead. He searched on for others, heard a moan and moved carefully through the moonlight. His wife was lying in a welter of blood, her hair matted with it and frozen to the ground. He picked her

up in his arms, saw she was still living. He carried her up the trail toward a neighbor's house.

The Hatfields rode back to West Virginia, cursing their luck. The battle to end a war had been unsuccessful. Old Randolph had escaped and two other murders would be charged to them. Frank Phillips would come riding again.

Frank Phillips did ride again, but he failed to catch any of the Hatfields for a long time. They were wary, and several fled. Charles Gillespie went over into Virginia where an alert officer nabbed him for the reward. It was a month before they caught "Cotton Top" Mounts, and the honor didn't go to Phillips, although he had made several sudden plunges into the Tug country and a few times had led sorties to the headwaters of the Guyandotte.

Two smart detectives, Treve Gibson and Dan Cunningham, were out to get some of the reward money. They ambushed Mounts on the head of Male Creek, held a gun in his face and began to put the handcuffs on. From somewhere came rifle shots. One struck Gibson in the leg. Cunningham pulled comrade and prisoner both into the bushes. The next day Mounts was lodged in the Pike county jail.

Mounts confessed his misdeeds to Pike county attorney Lee Ferguson, implicated all of the Hatfield clan that had participated in the murders of Tolbert, Palmer and young Randolph McCoy early in the feud. He detailed the carnage at Blackberry Creek and named his accomplices. Trial of the Hatfields, Mounts and their friends in crime, was held at Pikeville in August, 1889. Judge John M. Rice presiding. Mounts was sentenced to die by hanging. It was said that the highly emotional testimony of Sarah McCoy had a devastating effect on Mount's defense. In the meantime, Sheriff W. H. Maynard assembled three "hacks," surrounded them with 25 mounted guards and started for Lexington with all of the convicted prisoners except Mounts. Maynard was not taking any chances that a foray led by Hatfields would release their kinsmen.

Maynard got to Prestonsburg late in the evening. The day had been rough, rain had fallen in torrential sheets and the mud-spattered guards welcomed an opportunity to stop and rest. They dismounted and a crowd of the curious assembled. Some one took Maynard aside, told him that he had heard Cap Hatfield was in Knox county trying to raise a gang to take his prisoners before he got to Richardson, the railway terminal. Maynard hastily put his caravan back on the road. Frank Phillips accompanied the group to Richardson, but returned to Pikeville from there.

Gov. Simon Brucker after many court delays finally allowed Mounts to go to the scaffold. Feb. 18, 1890, was set as the day of retribution. Mounts moaned to the newspapers at the jail, chewed constantly on long, black cigars.

However, his Hatfield friends hadn't deserted him. At the start of their plans they decided to put "all their eggs in one basket." They would forget about court appeals, for they recognized the condemned man didn't have a chance in court. They would take him out of the Pikeville jail. Just how, they didn't know. But if they didn't get him out of there they would, as a last resort, either take him on hanging day or shoot him dead to keep the McCoy's from getting the satisfaction of seeing him die.

To further their plans, spies were sent to Pikeville, the jail was thoroughly inspected, but counter-spies found it out. Sheriff Maynard doubled the jail guard, making it especially heavy at night.

Soon, as February 18 drew near, the sound of hammering came from French Hollow at the north end of town where the scaffold was being erected. Day after day passed and Mounts chewed on the black cigars, exhibiting little interest in the attempts of Rev. J. W. Glover to get him to pray. People began to say he was crazy. He must be, for who, in his right senses, would remain so stubborn about imploring his Master when the scaffold awaited? He finally confided to Glover on the day of execution that he was ready to die.

On the morning day came, and thousands poured into Pikeville. From Virginia, West Virginia and all of the eastern section of Kentucky they jammed into the little village. Some said there were as many as eight thousand people there. They had been coming for two days and were finding the few hotels filled. They wrapped themselves in blankets and slept in their wagons. Maynard took a special interest in the jail the last few days, inspected the guard every few hours. He had many decisions to make, one of them a denial of Mounts' strange request to see the scaffold. Officers said it was a ruse to get out so the Hatfields could rescue him.

Frank Phillips, hating the Hatfields and loving whiskey, decided to celebrate on hanging day. Early he was parading and staggering up and down the muddy streets, swaggering with two revolvers. Let him carouse a bit, Maynard told his deputies and the Pikeville militia that was on guard. Louder and louder grew the intoxicated man's talk. Louder and louder he bragged about the Hatfields he had arrested.

Things began to get serious when he threatened people, swore that he had the Hatfields on the run and now he'd run any man out of Pikeville "who just looks cross-eyed at me." Maynard heard about his deputy's drunken threats and went out to calm him down.

Having no success in quieting the man, Maynard took a few deputies aside and whispered for them to close in slowly. They did, got Phillips and began to lead him away. Sheriff Maynard was knocked down, kicked a few times. He lay in the muddy streets, yelling for the militia. They came on a run and under the threat of drawn bayonets the disturbance ceased. Maynard interceded for his deputy and Bud McCoy. Don't put them in jail, he said. They wanted to see the hanging. The rest of the day the sheriff walked with a limp, clutched at his back. Somebody had kicked him fiercely and he had an idea it was Bud McCoy.

Maynard went to the jail, served the death warrant. The condemned man was red-eyed from loss of sleep and the chain smoking of black cigars. Rev. Glover, who was also a doctor, held prayer. Mounts was marched out to a waiting wagon between guards consisting of the militia, sheriff's deputies and specially deputized townsmen. Maynard was taking no risks. The wagon held a box in which lay a cheap casket. Mounts was told to sit on it.

French Hollow was packed with humanity when the wagon arrived, and officers shoved people aside. The curious and morbid and many with hatred in their eyes climbed up on the valley sides and up higher into a graveyard overlooking the scaffold.

The 25-year-old Mounts betrayed little emotion, now and then smoothed back his thick, blonde hair. He gazed at the scaffold with disinterest, walked with firm step.

Deputy Sheriff Harry Weddington asked him if he had anything to say before he died. Mounts replied simply that he was prepared to die and that he hoped his friends would all meet him in heaven. Rev. Glover cried, "Amen."

Silence, now, silence as deep as the cemetery above at night. The people did not move as the black cowl was pulled down over the blonde hair and the white face.

Then, suddenly, the silence was dispelled by Mounts, saying, "The Hatfields made me do it, the Hatfields made me do it."

The crowd saw a rising arm, clutching a hatchet. It descended quickly, the trap door rope was

severed and Mounts dropped into eternity.

It was then the crowd screamed and in the strain of excitement scores fainted and fell or were caught by bystanders. Many afterward said the pent-up emotion of the people was released, not in a scream, but in a long shriek. Others said it was a great, ululating moan.

The scaffold was left standing for several years as a warning to evil-doers and for use if it was needed again. Poker players began to seek the site and here in this sanctuary where no Pikevillian not inclined to drink or mischief would venture at night, drunken carousals were regularly held. One night a particularly vicious fight took place under the awesome structure, and the authorities had it torn down.

Erasmus